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WATERSHED DEVELOPMENT—1961

(No. 87-10)

U. S. DEPARTMENT OF AGRICULTURE
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HEARINGS
BEFORE THE
SUBCOMMITTEE ON WATERSHED DEVELOPMENT
OF THE
COMMITTEE ON PUBLIC WORKS
HOUSE OF REPRESENTATIVES
EIGHTY-SEVENTH CONGRESS
FIRST SESSION
ON
H.R. 3801

TO AUTHORIZE THE SECRETARY OF THE ARMY AND THE SECRETARY OF AGRICULTURE TO MAKE JOINT INVESTIGATIONS AND SURVEYS OF WATERSHED AREAS FOR FLOOD PREVENTION OR THE CONSERVATION, DEVELOPMENT, UTILIZATION, AND DISPOSAL OF WATER, AND FOR FLOOD CONTROL AND ALLIED PURPOSES, AND TO PREPARE JOINT REPORTS ON SUCH INVESTIGATIONS AND SURVEYS FOR SUBMISSION TO THE CONGRESS, AND FOR OTHER PURPOSES

JUNE 27 AND AUGUST 16, 1961

Printed for the use of the Committee on Public Works



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WATERSHED DEVELOPMENT—1961

JUNE 27, 1961

HOUSE OF REPRESENTATIVES,
COMMITTEE ON PUBLIC WORKS,
SUBCOMMITTEE ON WATERSHED DEVELOPMENT,
Washington, D.C.

The committee met, pursuant to notice, at 10:05 a.m., Hon. Frank E. Smith, chairman of the subcommittee, presiding, in room 1302, New House Office Building.

Mr. SMITH. The subcommittee will come to order. As a courtesy to two of our colleagues who have to attend a Rules Committee meeting we will ask Mr. Trimble and Mr. Thornberry to make statements about their projects prior to the testimony of the Soil Conservation Service so that they won't be late for their committee meetings. Mr. Trimble.

STATEMENT OF HON. JAMES W. TRIMBLE, A MEMBER IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. TRIMBLE. Mr. Chairman and members of the subcommittee, I am grateful for this opportunity to speak to you about a project which is in the district that I represent. It is the Muddy Fork in Washington County. I have a written statement here which I would like to submit as my statement and say to the committee that this is a good project, in our judgment. The local people are willing to assume the full responsibility which is set out in the project itself. Thank you very much.

Mr. SMITH. Thank you, Mr. Trimble. Your statement will be included in the record at this point.

(Prepared statement of Mr. J.W. Trimble follows:)

STATEMENT OF J. W. TRIMBLE, MEMBER OF CONGRESS

Mr. Chairman and members of the committee, I am grateful for the opportunity you have given me this morning to make a statement in behalf of the Muddy Fork small watershed project in Washington County.

The people in the area affected have been working several years for the project. When completed it will make a fine contribution in the way of saving and using efficiently our soil and water.

The city of Lincoln, Ark., is bearing about \$100,000 of the cost of one of the reservoirs. This will enable it to have a better source of water. The Arkansas Game and Fish Commission is bearing about \$100,000 of the cost of one of the other reservoirs so that it can establish a fish management project and fishing can be made available to the general public. These sums are in addition to other costs which will be borne by the local people.

There is widespread local support for the project. The people in the surrounding towns are for it as well as the farm people in the area.

It is my urgent hope this great committee can approve the project. I shall be grateful for every consideration you can give it.

Thank you.

Mr. SMITH. Mr. Thornberry.

LOWER PLUM CREEK WATERSHED, TEXAS

STATEMENT OF HON. HOMER THORNBERRY, A MEMBER IN CONGRESS FROM THE STATE OF TEXAS

Mr. THORNBERRY. Mr. Chairman and members of the subcommittee, I want to express my appreciation for the opportunity to appear in support of the lower Plum Creek watershed project which has been submitted for your approval by the Department of Agriculture and the Bureau of the Budget.

I have a prepared statement here I would like to submit for the record in lieu of any further testimony. We have a project here that is being sponsored locally by the Hays and Caldwell County Soil Conservation District, the lower Plum Creek Conservation District and the city of Lockhart, Tex.

I have had an opportunity to observe the activities of the citizens who are interested. They are fully aware of their responsibility and will make their proper contribution. I will appreciate the consideration of this subcommittee on this project.

Mr. SMITH. Thank you, Mr. Thornberry. Your statement will be filed.

(Prepared statement of Mr. Homer Thornberry follows:)

STATEMENT OF CONGRESSMAN HOMER THORNBERRY

Mr. Chairman and members of the committee, I am grateful for this opportunity to appear before this committee in support of the lower Plum Creek watershed which has been submitted for your approval by the Department of Agriculture.

As you perhaps know, this project is located in the 10th Congressional District of Texas which I am privileged to represent.

This project consists of an interrelated combination of land treatment measures and structural measures, and while I will not go into the details of the project—it is my understanding that the gentlemen from the Soil Conservation Service will do that—I do want to point out that this project would solve numerous watershed problems, including (1) flooding of crops and pasture, other agricultural improvements and nonagricultural facilities such as roads and bridges; (2) erosion to upland and flood plain land; (3) sediment deposition on the fertile flood plain; and (4) provide additional facilities for fish and wildlife within the watershed area.

The Department advises that the benefit-cost ratio shows that this project will return \$1.30 in benefits for every dollar cost.

I feel very strongly that this project is justified and, therefore, respectfully urge that it be approved by your committee.

Thank you very much.

Mr. SMITH. We have with us this morning a representative from the Soil Conservation Service. I would like, Mr. Brown, if you are going to testify for the Service, I would appreciate your setting up the projects first and then we have a number of the Members of Congress here today who want to make statements in behalf of their projects. Is Mr. Forrester here?

Mr. FORRESTER. Yes, sir; I am here, Mr. Chairman.

Mr. SMITH. We would like to ask Mr. Forrester to make a statement if he wishes to at this time on behalf of the Bull Creek watershed, and then we will have testimony from the Soil Conservation Service.

BULL CREEK WATERSHED, GEORGIA

STATEMENT OF HON. E. L. FORRESTER, A MEMBER IN CONGRESS
FROM THE STATE OF GEORGIA

Mr. FORRESTER. Thank you, Mr. Chairman. I sincerely appreciate the privilege of coming before this fine subcommittee and endorsing the project known as Bull Creek. Mr. Chairman, this project is sponsored by the Pine Mountain Soil Conservation District and the county of Muscogee.

I am sure that the chairman and the members of the subcommittee probably know that Muscogee County is the dividing line between Georgia and Alabama, and the Chattahoochie River runs between Harris County and Muscogee County in Georgia and Congressman George Andrews' district which is on the west side over in Alabama. This project is one that I don't believe I have ever seen more enthusiasm exhibited down in the section than has been the case by the citizenry generally on this particular project.

This project will involve \$1,849,326 to come out of Public Law 566 funds and \$466,035 to be supplied by local funds.

They had a bond issue election down there a few days ago and the election went overwhelmingly in favor of the approval of the bonds for the project. We are ready to come in. We consider it one of the finest things that has been submitted so far as our people are concerned for a number of years and I sincerely hope it will have the approval of this committee and the sooner they get started on the project it will mean payments to at least 1,000 homeowners and hundreds of acres of land down there in the urban community of Columbus which happens to be a city of about 115,000 people.

Mr. Chairman, I am enthusiastically for it and I certainly will appreciate the full consideration of this committee on this project.

Mr. SMITH. Are there any questions of Mr. Forrester?

Mr. DAVIS. Mr. Chairman, I represent Muscogee County in Oklahoma and judging from the project, this particular project, it is one of the best projects we have before us today and I am very pleased to support it not only on the basis of the merits but also on the basis of my high regard and affection for the gentleman before us here to testify today.

Mr. SMITH. Thank you. Mr. Brown, are you going to present the testimony today?

Mr. BROWN. Mr. Chairman, Mr. Wetzel will present four of the projects and I will present the other four. Which order do you want them in?

Mr. SMITH. Out of courtesy to a number of visitors today could we have the Bull Creek project first?

Mr. BROWN. Mr. Wetzel will present that, Mr. Chairman.

Mr. SMITH. Mr. Wetzel.

STATEMENT OF JOHN H. WETZEL, DIRECTOR, WATERSHED PLANNING DIVISION, DEPARTMENT OF AGRICULTURE

Mr. WETZEL. Mr. Chairman and members of the subcommittee, it is a real pleasure to appear before you with the first group of watershed projects before this session of Congress. There are eight of them which we will present the technical information on this morning.

The first one is Bull Creek, Ga., which is located in Harris and Muscogee Counties. It is directly tributary to the Chattahoochee River. It comprises an area of about 44,000 acres and the project is sponsored by the Pine Mountain Soil Conservation District and the county government of Muscogee County.

The principal problems in the watershed have been very substantial floodwater damages and sediment damages to the roads and bridges and to a residential area located down near the mouth of the stream at about this location on the map here. There are two residential areas down there developing very rapidly, the Lindsey Creek Park area and the Fairfield subdivision in this location and there have been quite substantial damages to the farmland, as indicated in yellow on the map here. There have been some flood damages to the Fort Benning Military Reservation which comprises about 10 percent of the area. The damages to the Fort Benning Military Reservation are in this area as indicated in yellow on this map.

The land use on this watershed is about 12 percent grassland, 4 percent cropland, 48 percent woods, and 36 percent miscellaneous land, including the residential area.

The two residential areas are suburban areas of the city of Columbus which is located at about this point.

The Federal Government owns about 10 percent of the watershed, about 4,200 acres in the Fort Benning Military Reservation, and the remaining 90 percent is in private ownership.

There are about 200 farms in the watershed which average about 135 acres and have an average value per acre of about \$400.

The urban area, the value of the land in the urban area ranges from about \$1,500 to \$2,000 an acre.

The project as proposed by the sponsoring local organizations includes the land treatment for the lands in agricultural use which include contour farm cover cropping, establishment of an approval of farm pastures, ponds, tree planting, stabilization of 350 acres of land, and the control of erosion over about 50 miles of seriously eroded roadbank in the watershed area.

The structural measures include 11 floodwater retarding structures and I think there is a capacity of about 13,000 acre-feet. The largest structure is 4,250 acre-feet. One of these structures will be located on the Federal land. This structure is located within the Fort Benning Military Reservation.

In addition it is proposed that 12 miles of channel improvement be carried out at the point indicated by the blue line on the map.

The benefits that will be provided by the project are the urban areas, the two areas of Lindsey Creek Park and the Fairfield subdivision which will have protection against the 100-year storm, will be protected against a 100-year storm that amounts to about 1,266 acres.

In addition there are 90 acres which will have less than 100-year protection at the very mouth of the stream.

The Muscogee County government has already taken action to zone any future residential or commercial construction within the 90 acres that will not receive a minimum of a 100-year storm protection.

There are about 75 farmers who will benefit from the proposed program on the flood-plain lands and between 900 and 1,000 homeowners will be found in the urban areas.

Then in addition the Muscogee County School Board now owns a 10-acre plot within the Lindsey Creek Park subdivision on which they are planning to build a county college. They are making plans to proceed with the construction of the college as soon as the protection is provided. The overall damages in the project will be reduced by 97 percent as a result of the project.

The costs involved are for the land treatment measure. The Federal Government will provide \$43,500 for accelerated technical assistance. The local people will provide \$160,000 to cover the installation of the needed land treatment measures on the watershed lands.

The structural measures; that is, the 11 floodwater residential structures and the stream channel improvement, the Federal Government will provide \$1,768,000 and the local people will provide \$282,700.

The local contribution for the structural measures will be made up of \$209,000 to cover the cost of the land easements, the rights-of-way necessary to build the structures and \$69,600 to cover the cost of the relocation of highways and bridges that are involved in the project, and \$4,300 for the administration of the contracts as required by the law. The total cost will be \$2,315,000 of which the local people will put up 20 percent or \$466,000, and the Public Law 566 will provide \$1,849,000. The benefit-cost ratio is 2.6 to 1 and it is proposed that the project be installed over a 5-year period.

The Pine Mountain Soil Conservation District and the Muscogee County government have agreed to be responsible for the installation and operation and maintenance of the roadside control measure and the stabilization of the critical sediment in the watershed area. The Muscogee County government will serve as the contracting officer and be responsible for the preparation and awarding of the contracts for 10 of the structures as well as for this 11th structure which will be on the Federal lands.

The U.S. Army has agreed that they will operate and maintain this structure which is within the military reservation, and the county government of Muscogee has agreed that they will operate and maintain the remaining 10 structures.

The average annual cost of operation and maintenance for the project will be \$13,045. The sponsors, the Muscogee County government have already applied for a loan under the provisions of Public Law 566 to cover part of the cost, particularly the cost of land easement and the rights-of-way which they will be required to purchase.

I might point out that Highway 80, Federal Highway 80 crosses the watershed at this point. There will be two bridges relocated on Highway 80 which the State highway commission has agreed to be responsible for. Also the Highway 85 Expressway will cross the watershed at this point and the bridges that are being designed for this expressway have been designed in accordance with the protection that will be provided by the structures located immediately above the bridge sites.

Mr. SMITH. Thank you, Mr. Wetzel. Are there any questions?

Mr. McFALL. Would you review the part of the Army, Fort Benning, Ga., in this? There is one structure on the Army reservation?

Mr. WETZEL. This structure here is within the military reservation, that is right, sir. They have agreed to grant a permit to the Muscogee County government to construct this structure on the Federal land. The Army has also agreed that it will operate and maintain this structure after it has been constructed.

Mr. McFALL. What is the cost of that structure?

Mr. WETZEL. The total cost is \$83,000.

Mr. McFALL. Does it drain off land from all federally owned land?

Mr. WETZEL. I would say it drains about 80 percent of the Federal land. The boundary of the military reservation is this line here. This shown in here is all military land and this small portion which looks to be about 20 percent is privately owned land.

Mr. McFALL. Is the Army paying any of the cost of construction of the dam?

Mr. WETZEL. No; they are not paying any of the construction. That will be paid entirely out of Public Law 566 funds in that it provides no protection for the military reservation itself. As you can see the structure is located almost on the boundary of the military reservation.

Mr. McFALL. Thank you.

Mr. SMITH. Are there any questions on my left? Thank you, Mr. Wetzel.

The next project we will take will be Camp Rice Arroyo watershed, Texas. Mr. Rutherford, our colleague, is here with us.

CAMP RICE ARROYO WATERSHED, TEXAS

STATEMENT OF HON. J. T. RUTHERFORD, A MEMBER IN CONGRESS FROM THE STATE OF TEXAS

Mr. RUTHERFORD. Thank you, Mr. Chairman. The Camp Rice Arroyo is actually in Hudspeth County. To identify and locate it more properly for the subcommittee, it is the county adjacent to the county of El Paso, El Paso being the county seat and the El Paso-Hudspeth Soil Conservation District and Hudspeth County Conservation and Reclamation District No. 1 and the Hudspeth County Commissioners Court are joint sponsors of this project.

I think the members of the Soil Conservation Service can amply answer all questions that might be directed toward details of this program. However, I might say that the planning funds provided for this program were unanimously approved, \$28,000 by the Hudspeth County Conservation and Reclamation District No. 1.

These arroyos come out of the Finlay Mountains in the northeastern portion of this Texas county which is a large county in size but thinly populated and has more or less returned this once very productive land into more or less a covering of sediment and has returned it to wasteland.

All of the sponsoring units and certainly I endorse it as well and ask for your very careful and sympathetic consideration on behalf of this project.

Mr. SMITH. Thank you, Mr. Rutherford. We will ask Mr. Brown to speak on this project.

Mr. BROWN. Mr. Chairman, the Camp Rice Arroyo project is located in Hudspeth County, a short way down the stream from El Paso, jointly sponsored by the El Paso-Hudspeth Soil Conservation District, the Hudspeth County Conservation and Reclamation District No. 1 and has a responsibility for the irrigation project of the Rio Grande, and also the Hudspeth County Commissioners Court. This area is subject to severe and frequent cloudburst type flooding during the summer growing season.

In the past 20 years there have been floods occurring once every 3 or 4 years in this area which have done very significant damage. In 1941 for example there was a flood which damaged this area shown in yellow on the map which is all highly developed, irrigated land along the river, and caused an estimated damage of \$168,000. Damaging floods have occurred in 1948, 1950, 1953, and 1958.

Under present conditions the direct floodwater damages will average about \$26,769 annually, of which \$16,933 are the estimated annual damages to the crops and pastures, and the remainder of the damages are those occurring to the irrigation facilities which include the bridging of the main canal which carries the water on downstream, the additional irrigation to the main line of the Texas and New Orleans Railroad which runs through here and the damage at this bridge point and also damage to the present U.S. Highway 80 which is one of the main arteries of transcontinental travel.

The land use in this project consists of substantial areas of range-land above the point of U.S. Highway 80. The total watershed area is 31,400 acres. This land is under controlled grazing at the present time and it is in adequate condition insofar as this kind of land can be treated to permit a doing away with the construction of proposed flood water retarding structures. Six percent of the land down here in yellow is in irrigation. The total area of irrigated land amounts to 823 acres. The landownership in this watershed is entirely in private ownership. There are 14 farms in this area which are directly affected by overflow and the deposition of sediment coming out of this arroyo channel, and there are a number of additional farms that would be affected by the breaching of the canal which carries the water further downstream.

In this area the estimated value of the farmland under irrigation is about \$650. The proposed treatment measure in the watershed in addition to intensification of the grazing control and the proper use of the watershed area to minimize runoff and sediment by the construction of a single retarding structure which will control 89 percent of the watershed area and the structure will have a total capacity of 5,569-acre feet, of which 1,323-acre feet is reserved for sediment storage over a period of 50 years. I believe I mentioned that there were 14 farms in this area which are directly benefited.

This high line canal serves an additional 90 farms downstream from this point.

The land use in the benefited area consists of 33 percent upland cotton, 7 percent long staple cotton, 16 percent in alfalfa, 8 percent in silage and 16 percent in Sudan grass for hay and pasture and 20 percent in miscellaneous crops. The control will be almost 100 percent

insofar as eliminating damage from cloudbursting storms that occur in this area.

The structure will cost a total of \$397,000, of which 99.5 percent will be a Federal cost for construction. The easement and right-of-way cost is appraised at a little over \$2,000 out there, this being all range land and worth only about \$10 an acre.

The benefit-cost ratio on this project is 2.6 to 1. It is anticipated that the project will be installed in the first year after its authorization as soon as the easements and rights-of-way can be obtained. They are available now and as soon as the designs are prepared this single structure can be constructed.

The structure will be maintained by the Hudspeth County Conservation and Reclamation District No. 1 which is responsible for the irrigation facilities that will be added to the current development and the estimated cost of maintenance will be \$650 per year.

Mr. SMITH. Thank you, Mr. Brown. Does the new Highway 85 cross that section?

Mr. BROWN. That I am not sure about. This road which is labeled Interstate Highway No. 10 is probably the one you are referring to which is now under construction and I believe will cross on a bridge with adequate capacity so that it would not be affected by it.

Mr. SMITH. Are there any questions on my right? Are there any questions on my left?

Mr. BALDWIN. I noticed you pointed out the Federal contribution was 99.5 percent, and in the previous project, the Bull Creek project, I noticed the Federal contribution was 86 percent. Is the difference between the local people putting up 0.5 percent in this case and 14 percent in the other case purely the difference in the cost of the rights-of-way involved in building the structure?

Mr. BROWN. If you are referring to the project cost for structural measures which are for flood purposes this is correct. The ratio would be the cost of easements as against the cost of construction. If you take a total project cost and there also comes into the picture the cost for land treatment measures, in this program there is no additional cost for land treatment measures.

The only remaining need is for controlled grazing which is now in effect. Moreover if there are other purposes in the project, and we will have some other purposes such as irrigation, we will have differences there. Local organizations make a direct contribution.

Mr. SCHWENGEL. The watershed area itself is benefited, and is that taken into consideration when you consider the cost-benefit ratio?

Mr. BROWN. In this case, the cost-benefit ratio is figured on the benefits to the area shown in yellow, plus the farms downstream that would be benefited by maintaining the canal there.

Mr. SCHWENGEL. There is no benefit in the watershed by increased land values.

Mr. BROWN. This does not come into this. The benefit-cost ratio is confined to the effects of the structural measure and we do not take in any benefits that accrue to the land itself.

Mr. SCHWENGEL. Shouldn't that be taken into consideration? What is the theory behind not taking it into consideration?

Mr. BROWN. That is a good question, Mr. Schwengel. In the beginning of this program the Secretary was confronted with this

question and in consultation with the Budget Bureau an agreement was reached that the value of the land treatment measure on the farm and on the range always exceeds the cost of input to accomplish that measure, that is always a favorable ratio of benefit to cost for the effect of on farm ratio against the benefits. In fact, it greatly simplifies our problem to confine it to evaluating whether you can afford to add structural measures to the land treatment and what additional benefits that would give.

Mr. SCHWENGEL. I think I understand your reasons but I think we would have a better chance of selling this to the public if we could bring our total cost-benefit ratio in all these projects and that phase of the story needs to be told too. Is there a way to accurately measure that?

Mr. BROWN. Well, there is a way to measure it. We did this a number of years ago when we were making surveys under the authority of the Flood Control Act, beginning with the Flood Control Act of 1936 in the old original project. We did make an economic evaluation of the land treatment measures and we found without exception that the ratios were very highly favorable, depending on which economist had the job to do. They might run from 2 to 1 to 10 to 1 to 20 to 1 and some of them got so astronomical that it raised questions as to whether it was meaningful or not. The decision was made that this would not be brought out in the economic benefits.

In working with the local organizations great stress is given to the land treatment measure as being the first implement, the basic part of the program, and in typical agricultural areas the landowners are approached together and cooperate in carrying out these measures, not on the basis of the need downstream but on the basis of the benefits that will accrue to them on their own farm for doing this work.

Mr. SCHWENGEL. Do you have any special studies or any books or articles on that phase of the program?

Mr. BROWN. Yes, there is quite a volume of literature on the matter of carrying out conservation policies, conservation farming measures.

Mr. SCHWENGEL. For my own benefit I would like to have some of that literature.

Mr. BROWN. We would be glad to supply you with some articles and literature on that subject.

Mr. SMITH. Thank you, Mr. Brown. The next project we will take up is the Seven Mile Creek watershed, Illinois. We have our colleague, Mr. Shipley with us. We will appreciate a statement from him.

SEVEN MILE CREEK WATERSHED, ILLINOIS

STATEMENT OF HON. GEORGE E. SHIPLEY, A MEMBER IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. SHIPLEY. Thank you very much, Mr. Chairman and members of the committee. I am not qualified to give you any specifics or details about the project other than that it is needed in my district. The Seven Mile Creek project is in Jefferson County, Ill., and we

appreciate very much having this opportunity of appearing here today in behalf of this work plan. The local people have indicated a strong interest in this project and in actuality what it will do is it will solve a lot of flood problems that we have had for a hundred years through this area, the flooding of the crops and the pastures and the roads and the bridges, the loss of fertile topsoil, and also the city of Mount Vernon will be greatly affected by this project because they have had in the past a real problem in having an adequate water supply, like so many small towns do have.

This will, of course, we believe, help us in obtaining an adequate water supply. It will contribute greatly not only to this one area but all of southern Illinois. The people here will give you the details on it. I am very much in favor of this project and I hope that it is acceptable to this committee, and I thank you very much for giving me this opportunity.

Mr. SCHWENGEL. Mr. Shipley has in his constituency a very dear friend of mine whom I consider a great authority in agriculture, and I am told that he knows about this and is very enthusiastic about it and recommends it as a very desirable project, and you of course know who I am talking about, Dr. Fred Russell.

Mr. SHIPLEY. Thank you very much. I know for a fact that he is acquainted with it and has been working in this field for a long time. If there are no other questions, I would like to thank you.

Mr. SMITH. Thank you. We will now hear from Mr. Wetzel on this project.

Mr. WETZEL. The Seven Mile Creek watershed is located in south-central Illinois. It is about 8½ miles long and averages about 3 miles in width. Seven Mile Creek is a tributary to Casey Creek, which in turn is a tributary of the Big Muddy River and is in Jefferson County.

The watershed is about 18,000 acres and the project is sponsored by the Jefferson County Soil Conservation District and the city of Mount Vernon. The Seven Mile Creek drainage District is now being organized under the State enabling legislation and will be the organization that will carry out the flood prevention aspects of the project. There have been very substantial floods within the agricultural portion of the watershed. About every year 61 percent of the flood plain land—the area in yellow—suffers from one to three floods.

In addition in 1946 a 6.17-inch rainfall in the watershed in 24 hours flooded this entire flood plain land and caused a complete loss of all crops of about 1,000 acres of flood land and about 700 acres of the first terrace land.

Damages to roads and bridges is an annual occurrence within the watershed and it has been necessary to close two of the county roads crossing the watershed within the past 2 years due to the cost of maintaining the bridges across the flood plain.

In addition to the flood problem, the city of Mount Vernon is in a very critical position insofar as their municipal water supply is concerned. This town of about 16,000 people is located in this area right here, about 3 miles west of the central portion of the watershed. The city of Mount Vernon indicated interest in cooperating in the project in an effort to determine whether additional municipal water supply could be included in the flood project.

The land use is 44 percent crop land of corn, soybeans, and wheat; 20 percent in grass land; 12 percent in woods, and 24 percent miscellaneous. The entire watershed is in private ownership. There are 210 farms in the watershed area, averaging about 90 acres and having a value of about \$125 for the upper land and \$175 for the flood plain land per acre.

The land treatment measures that will be installed in the upper watershed on the agricultural land include contour farm, storage, farm pasture, construction of farm ponds, and a substantial amount of farm drainage measures.

The structural measures that have been proposed by the local organization include two floodwater retarding structures at these locations and there will be a total capacity of 360 acre-feet. The major structural measure in the project is this central reservoir which will have a total capacity of 8,134 acre-feet, of which 2,300 acre-feet will be for floodwater damage protection and 5,223 acre-feet will be for municipal water supply for the town of Mount Vernon in this area.

In addition, $4\frac{1}{2}$ miles of channel improvement have been proposed in the lower section of the watershed. The area of flood plain that will be benefited from the floor prevention aspects of the plan is 1,032 acres.

No agricultural area in the flood plain will be provided for, will receive protection as against a 5-year frequency storm in comparison to the annual occurrences that have been going on in the past.

The costs of the project for the land treatment measure, the Federal Government will provide \$14,250 for accelerated technical assistance for the land treatment measures. The local people will put up \$119,000 to cover the cost of installing these land treatment measures on their own land.

Of the structural measures, the Government—the Federal Government—will put up 30 percent of the total cost of \$588,000, or \$176,000 from Public Law 566 funds. The local people will put up 70 percent of the cost of the structural measures, or \$412,000.

The total cost of the project is \$721,000, the local people putting up \$531,000, or 74 percent, and the Federal Government putting up \$190,000, or 26 percent.

The local people's out-of-pocket cost will be \$94,000 for necessary land easement and rights-of-way for the three structures plus \$69,000 for the relocation of several highway bridges that will cost \$10,000 for the administration of the contracts on the three structures. The benefit-cost ratio is 1.36 to 1 and it is proposed that the project be installed over a 4-year period.

As I mentioned, the Seven Mile Creek Drainage District is now in the process of organization and should be organized within the next few months.

Under the Illinois enabling legislation the Seven Mile Creek Drainage District will have the authority to secure all of the necessary land easements and rights-of-way and will guarantee the operation and maintenance of the two flood prevention structures. The city of Mount Vernon has authority to handle the contracting for the large, multiple-purpose flood prevention and municipal water supply structure. They will also provide the engineering services for the final design of the municipal water supply feature of that structure.

I might also point out that the local people—the city of Mount Vernon—has already provided a consulting engineer to assist in the preparation of the work plan to the extent of the planning that has been necessary to include the municipal water supply feature in the plan.

You may wish to know the cost sharing on a municipal water supply feature in any of the plans that includes municipal water supply. The Federal Government provides no cost sharing of the municipal water supply, either in the planning stage or in the construction stage. The local people are required to provide consulting engineering service to the soil conservation district, to assist in developing a work plan, and they are required to bear the entire cost of the municipal water supply allocation in the multiple-purpose structure.

Mr. ROBISON. Is that the reason for the wide variation in the contributions here of Federal funds being only 26 percent as compared, although there are different reasons as I understand, as compared to the 99.5 percent in the Camp Rice Arroyo watershed in Texas that Mr. Baldwin asked about?

Mr. BROWN. That is right. The city of Mount Vernon bears the entire cost allocated to municipal water supply and the local cost sharing has been increased very substantially.

Mr. BALDWIN. How do you compute the breakdown when it is going to be municipal water supply and no flood control? How do you determine what the proportion of the cost is?

Mr. BROWN. In this project we used a cost allocation to determine the amount of the total cost to be allocated to flood prevention and what should be allocated to municipal water supply. We have had a change in our Department policy in the last several months which permitted the use of three methods of cost allocation insofar as a multiple-purpose structure is concerned. This method of allocation results in a joint saving to both projects.

Mr. ROBISON. Do you have occasion when you have negotiations over this with the local interests?

Mr. BROWN. There is not too much opportunity for negotiations. The benefits from the flood project application are determined in the benefits from the municipal water supply and then those ratios are applied to the total cost of the structure with the joint cost being allocated to both purposes.

Mr. SMITH. Thank you, Mr. Shipley. The next project will be the Fall River watershed, Kansas. We have with us our colleague, Mr. Shriver, and our colleague on the committee, Mr. McVey, is also very much interested in this project but he happens to be out of town. We will now hear from Mr. Shriver.

FALL RIVER WATERSHED, KANSAS

STATEMENT OF HON. GARNER E. SHRIVER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KANSAS

Mr. SHRIVER. Mr. Chairman and members of the subcommittee, I want to thank the committee for the opportunity of making this statement in behalf of and in support of the watershed project known as the Fall River project in Kansas. It is in the Fourth Congressional

District, the district which I represent. It will not be following the next election. Our Kansas Legislature has redistricted my district and it will be in the district now represented by Mr. McVey who is a member of the House Public Works Committee.

The proposed project will be constructed on a 7-year basis. It is estimated it will cost a little over \$5 million. It will provide flood protection for the city of Eureka and the water supply for the city of Eureka which is a town of around 4,000. It will protect, as far as flood control and croplands, a wide area and many, many farms. The people of the watershed district and others in the State of Kansas are very much united in support of this project, and certainly I am enthusiastic with my support of the project.

With the permission of the committee and to save and conserve the time of the committee I will submit a statement in connection with my support, and I thank you for the opportunity to appear.

Mr. SMITH. Without objection the statement will be included at this point in the record.

(Prepared statement of Mr. Garner E. Shriver follows:)

STATEMENT BY HON. GARNER E. SHRIVER, REPRESENTATIVE, FOURTH DISTRICT,
KANSAS

Mr. Chairman and members of the committee, I am appearing before the committee today in support of the Fall River watershed project.

The Fall River watershed is located in the Flint Hills area of southeastern Kansas and has an area of 200,001 acres of land consisting of grassland, cropland, and miscellaneous land such as woods, towns, roads, railroads, and farmsteads. There are no Federal lands in the watershed.

The plan for watershed protection and flood prevention and municipal water supply in the Fall River watershed is sponsored by Greenwood County Soil Conservation District, Butler County Soil Conservation District, Fall River Watershed Joint District No. 21 and the city of Eureka. The sponsoring local organizations are requesting Federal assistance under the authority of Public Law 566, as amended, to install works of improvement to solve various aspects of their soil and water resource problems. The primary problems in the watershed are floodwater and land damage on the floodplain. Major damage occurs to growing crops, roads, bridges, railroads, city of Eureka, and to land from scour damage. It is estimated that the average annual floodwater and land damages will be reduced by 66 percent by the installation of the proposed floodwater retarding structures. The proposed works of improvement will protect the city of Eureka from being flooded by the Fall River by all storms except those having a magnitude of once in 100 years or greater. In addition, the watershed will provide for possible increases in well water supply, recreation, pollution abatement, irrigation, and general welfare.

The Fall River Watershed District will provide land, easements, and rights-of-way for structural measures and will contract for their construction. The financing of the water supply portion of the multiple-purpose structure will be borne by the city of Eureka. The division of costs for land, easements, and rights-of-way, and contract administration for the multiple-purpose structure will be determined by the watershed district and the city prior to construction. The manner of financing costs of the watershed district will be determined in the resolutions authorizing specific projects for construction as defined in the watershed district law. It is estimated the project will return \$1.27 for every dollar of cost.

I respectfully request and urge that the committee give favorable consideration to the proposed Fall River watershed project.

Mr. BALDWIN. May I ask unanimous consent that the statement of Mr. Walter McVey be included following Mr. Shriver's?

Mr. SMITH. Mr. McVey's statement will be included at this point, without objection.

(Prepared statement of Walter L. McVey follows:)

STATEMENT OF REPRESENTATIVE WALTER L. McVEY, THIRD DISTRICT, KANSAS

Mr. Chairman and members of the committee, I appear today in support of the Fall River watershed project covering three Kansas counties, which include Greenwood and Butler Counties that have recently been brought into my new congressional district by the Kansas State Legislature.

Many people will be affected by the Fall River watershed project. Not only is it supported by many of the individual citizens but also by their organizations, which include the Greenwood County Soil Conservation District, the Butler County Soil Conservation District, the Fall River Watershed Joint District No. 21, and also the governing body of Eureka, Kans., all of whom have requested Federal assistance under Public Law 566, as amended, to install works of improvement to solve their soil problems and water resources problems.

The proposed project will be installed in a 7-year period at an estimated cost of \$5,047,684. The benefits to be derived from this project are reduction of flood damage in the watershed by 66 percent. The city of Eureka will have protection floods of a 100-year frequency; the degree of protection provided in the agricultural flood plan will permit an increase in the intensity of present use. The people of the city of Eureka, 4,000 in number, will be provided a more dependable supply of water and the weed-control problem will be significantly reduced. It is estimated the project will return \$1.27 for every dollar of cost. The Fall River watershed district will award and administer contracts and secure all land, easements, and rights-of-way for all structural measures. The city of Eureka will provide all installation costs allocated to municipal water storage. This will include the cost of all engineering services necessary for the municipal water supply features.

Land treatment measures will be maintained by the landowners or operators on the farms on which they are applied in accordance with agreements with the Greenwood County and Butler County Soil Conservation Districts. All structural measures will be operated and maintained by the Fall River watershed district. The estimated annual cost of maintenance of structural measures is \$18,447.

The near record floods experienced in Kansas this year have demonstrated the need for this watershed project and I wish to convey to you fellow committeemen the desire of these Kansas citizens to enter this program by furnishing the necessary matching funds. In my opinion, this project is both meritorious and necessary.

Mr. SMITH. We will now hear from the Soil Conservation Service, Mr. Brown.

Mr. BROWN. The Fall River project consists of an area of 200,000 acres. It is jointly sponsored by the Greenwood County Soil Conservation District, the Butler County Soil Conservation District, Fall River Watershed Joint District No. 21, and the city of Eureka.

The joint problem in the watershed is the flooding of crops and pastures. There is flooding to some 15 to 30 homes in the lower part of the city here and it causes damage to park properties, public swimming pool, a water supply pumping plant and a sewage disposal plant of the city of Eureka, so there are quite substantial urban damages in that location.

The total watershed area consists at the present time of about 15 percent cropland used mainly for alfalfa, corn, wheat, and soybeans and about 84 percent grassland, with 1 percent in miscellaneous use.

The result of the conservation program on the watershed is expected to produce a slight decrease in the amount of cropland use to about 13 percent and a corresponding increase in the amount of grassland use to about 86 percent.

In this watershed there are 270 farm operating units with an average size of about 750 acres, this being a livestock enterprise country and they are rather large size farms.

The program consists of an intensified land treatment program down the watershed, the main benefits anticipated to be conservation, the cropping system, waterways, terraces on the cultivated land, the pasture planting and the improvement and the development of additional farm ponds for better distribution of livestock water.

The structural measures which are shown on the plan are retarding structures and one multiple-purpose structure controlling about 51 percent of the total watershed area down to its mouth. There are 28 single-purpose floodwater and sediment-control structures, having a total capacity of 43,445 acre-feet, of which 4,712 acre-feet are reserved for sediment storage and there is one multiple-purpose structure shown here which will provide in addition to floodwater control for municipal water supply down at Eureka.

This structure has a total capacity of 9,988 acre-feet, of which 5,500 acre-feet will be storage for municipal use. In total the area benefited is 16,015 acres shown in yellow; 155 farm operating units have land in the benefited area.

In Eureka the problem now exists of potential damage to some 15 to 30 homes depending on the size of the flood, and to the pumping plants and the sewage plants which will be eliminated. The protection given in Eureka will be full protection for a 100-year frequency storm.

MR. ROBISON. What do you mean when you say protection for a 100-year frequency? Is that the heaviest flood within 100 years, a 100-year period?

MR. BROWN. If you had a long series of records and had a 1,000-year record there would be 10 floods which would equal or exceed this magnitude, a flood that would be equal to the magnitude of once in every 100 years out of a long run is commonly called a 100-year flood. The total damage reduction, agricultural as well as urban, will be about 66 percent. The amount of benefits in the watershed are computed to be \$232,781 annually.

The cost of this program will total \$5,047,684, of which the Federal cost will be \$4,188,782 or 83 percent, and the non-Federal cost will be \$858,902 or 17 percent.

The non-Federal cost will consist of approximately \$409,000 cost for the accelerated land treatment program on the watershed and approximately \$449,000 as the cost of acquiring land easements and rights-of-way and of administering the contracts.

The benefit-cost ratio on this project is 1.3 to 1 and is scheduled for installation over a period of 7 years.

The Fall River Watershed District which has been organized will operate and maintain all of the floodwater retarding structures and the city of Eureka has agreed to operate and maintain the multiple structure which includes the water supply. The estimated annual cost of the operation and maintenance is \$18,447 of all the structural measures.

MR. SMITH. Thank you, Mr. Brown. Are there any questions on my right?

MR. EDMONDSON. Congressman McVey spoke to me about this project and advised me it would provide some pretty substantial downstream flood protection to locations in Oklahoma. I want to check this with the gentleman who has testified, Mr. Brown, to see if that is his impression also.

Mr. BROWN. That is correct, Mr. Edmondson. Nearly all of these watershed projects will provide benefits accruing but fading out as you come downstream. It has been our policy that we don't attempt to make a monetary evaluation below the lower limit of the project if the project, within the project areas are sufficient to clearly show a favorable ratio of benefits to costs, but we certainly recognize it and in some instances have made such evaluation to show an individual project of this sort may have benefits accruing for 25 to 50 miles downstream in a gradually diminishing amount.

However, as you subsequently have watershed projects developing on all these watershed tributaries of this character then the amount of benefits accruing way downstream in watershed areas of 1,000 square miles would be quite substantial.

Mr. EDMONDSON. You have had some very serious flood disasters on both the Verdigris and the Neosho which come out of this area in Kansas and I am in favor of checking these floods where they originate.

Mr. BROWN. We have demonstrated this conclusively by intensive studies in the Washita Basin in your State which is a watershed of several thousand square miles and where we are carrying out the program in effect as we are carrying out this program by having subdivided it into subwatersheds of essentially comparable size. Two-thirds of those watersheds are planned in the Washita Basin and one-third of them are completed. We have studied it to show the benefits that accrue to the backwaters of the dam.

Mr. EDMONDSON. You have had some miraculous results there.

Mr. BROWN. We are confident that the application of this same principle even though you take it in segments, even if this one would produce exactly the same results that we have gotten on the Washita already.

Mr. SMITH. Are there any questions on my left? If not, thank you, Mr. Brown. The next project we have is the Bayou Rapides watershed in Louisiana. We will have our colleague, Mr. McSween, discuss this.

BAYOU RAPIDES WATERSHED, LOUISIANA

STATEMENT OF HON. HAROLD B. McSWEEN, A MEMBER IN CONGRESS FROM THE STATE OF LOUISIANA

Mr. McSWEEN. Mr. Chairman and members of the committee, I appreciate this opportunity that I have on behalf of the Bayou Rapides watershed project which as you can see on this—well, as a matter of fact you cannot see from this map but it is located in the central portion of the State of Louisiana and has an area of 96,970 acres or 151.6 square miles. Bayou Rapides is a tributary of the Red River.

The local organizations are sponsoring this project. They are the Lower West Red River Soil Conservation District and the Rapides Parish Police Jury. The parish police jury is the governing body of the parish or county in which this watershed focus is located. The sponsoring local organizations are requesting support of this under the authority of Public Law 566 as amended to install works of improvement to solve various aspects of their soil and water resource

problems, including the lack of water for efficient crop production during June, July, and August and, secondly, the need for fish and wildlife development in the watershed.

This project consists of an interrelated combination of land treatment measures to protect and improve soil and water resources and structural measures consisting of one multiple-purpose storage structure for irrigation and fish and wildlife development and 24 miles of irrigation canals. The multiple-purpose structure will provide 21,884-acre-feet of irrigation storage, 2,464 acre-feet of fish and wildlife development, and 652 acre-feet for sediment storage. The total capacity of the structure is 25,000 acre-feet. The project will be installed within a 10-year period at an estimated cost of \$4,379,000, of which 74 percent is credited to the local interests.

The project will provide a dependable supply of irrigation water for 12,400 acres of high-value cropland. It will also assure an adequate supply of livestock water for the watershed. The watershed is readily accessible to residents of the Alexandria-Pineville area, thus the fish and wildlife development will be beneficial to a significant number of people. Increased economic activity in the watershed and the surrounding area will occur as a result of the project.

The benefit-to-cost ratio is shown as $2\frac{1}{2}$ for every \$1 of cost, based on the average annual benefits of the structural measures amounting to \$235,000, in round figures and the average annual cost of approximately \$94,000.

The Rapides Parish Police Jury will award and administer contracts, secure needed land easements and right-of-way, and provide local construction costs.

I would like to point out that the necessary funds from the local level will be obtained by a parishwide tax and the authority for issuing the bonds has already been favorably voted on by the property owners of Rapides Parish.

The land treatment measures will be operated and maintained by the landowners and operators on the farms on which they are applied in accordance with agreements with the Lower West Red River Soil Conservation District. Structural measures will be operated and maintained as follows: The multiple-purpose storage structure, Hotwells-Boyce irrigation canal, and the wiers in the Bayou Rapides irrigation canal by the police jury; and the Bayou Rapides irrigation canal by the Bayou Boeuf Levee Board. The maintenance cost for structural measures is estimate to be \$15,000 annually.

Mr. Chairman and members of the committee I have been aware of the development of this project for several years. I can say that it is favorably regarded in the local area and that I am in favor of and hope that the committee will see fit to give it favorable consideration.

I think that any questions of a technical nature you care to ask can best be answered by the gentleman from the Soil Conservation Service.

Mr. SMITH. Thank you.

Mr. ROBISON. I am interested in the term parish police jury. What is the police jury? Is it a sort of a municipal function that they serve?

Mr. McSWEEN. This is the governing body for the county. It consists of an elected membership from each ward who govern the public affairs of the county.

Mr. ROBISON. They don't serve as a jury in criminal cases, do they?

Mr. McSWEEN. No; this is a peculiar term, and I cannot defend it.

Mr. BROWN. Mr. Chairman, Mr. McSween has given a very full digest of the principle features of the project. I am sure the local authorities have been very diligent in supplying him with these details. So I won't attempt to repeat all of these factors that he has already given. There are a number of significant things though that I might point out. Now we have a Corps of Engineers project shown in here. This is an offset largely of a part of the Red River system. The entire area is already given full protection against flood damages by the completed project. At the present time in this area which is shown in the area shown by yellow coloring in here there is about 9,000 acres presently under cultivation and about 3,400 acres which are now in pasture. There is irrigation being proposed on a good deal of this land by direct reversion from this stream in here, but the critical problem is the lack of storage and dependable water supply during the height of the growing season.

This project is somewhat unique for us at least in what we have presented to this committee in that it has no flood control feature in it. It is a project for irrigation water and water supply and fish and wildlife development and this multiple structure of about 25,000-acre feet in total will provide that dependable water supply. This will provide a full amount of water supply at least 9 years out of 10 for all of the land that is contemplated to be under irrigation which is shown in yellow. The water will be released into this stream and will be picked up at several small weirs which will be constructed in the stream as points of takeout.

There will be a diversion canal which will permit the irrigation of substantial additional acreage in this part of the project. The total of 12,400 acres which are expected to be under irrigation with this project now are as follows: 31 percent is in cotton, 27 percent is in corn, 7 percent is in soybeans, 27 percent is in pasture, and 8 percent is in other uses.

Over the period of the project evaluation it is anticipated that there will be a progressive change of land use to the point where some 43 percent of the land will be used for cotton and some 42 percent for corn and soybeans. Expected to remain about the same and pasture use is expected to go out in favor of row crops, but this of course will not occur immediately or maybe for some time because these materials are also controlled by such things as acreage allotments and so forth.

As Mr. McSween pointed out the benefit-cost ratio is 2.5 to 1 based solely on direct benefits.

Now we have evaluated also the secondary benefits of this project in the same manner in which secondary benefits are evaluated in Bureau of Reclamation projects and the cost-benefit ratios would be substantially higher in this. In fact, we have estimated that there would be some \$444,000 in value in secondary projects resulting from improved benefits accruing to the cotton growers and the processors of the product itself all down the line. They have not entered into the cost-benefit ratio.

It is our understanding that the parish of Rapides which is going to undertake construction and the operation and maintenance of this program has voted on a tax which will be sufficient to raise \$255,000

annually for a 10-year period to provide for amortization of a loan which they are requesting from the Farmers Home Administration under the provisions of our act in the amount of \$800,000, and also build up a fund for the operation and maintenance of the project as completed.

I believe that is substantially all that has not been given.

Mr. SMITH. Thank you, Mr. Brown.

Mr. McSWEEN. Mr. Chairman, may I make two other observations? The gentleman mentioned that there might be a tendency in the future for pastureland to move into the row crops. I am very sensitive to a statement like that, being a member of the Agriculture Committee. I would like to say that there may be this slight adjustment on this particular land. However, it should be taken into account that this project is located about 6 or 8 air miles from a military installation, the Eglin Air Force Base which had been originally constructed during World War II and it was put right in the middle of a very valuable farm area and has absorbed a great deal of farmland, and there have been substantial subsequent real estate developments which have continued to take up additional cropland. I think this installation has more than taken up any slack here.

Incidentally, this fish and wildlife development will be of considerable benefit to the personnel of this military base. There are about 4,500 personnel there. My hometown has 4,000 people. We do not have too many bright lights for those people and the fish and wildlife will be of great benefit to those people in this military area.

Mr. BALDWIN. Mr. Brown, I noticed on the structure there is 45 percent Federal contribution, but you mentioned there would not be any flood control aspects to the structure. As I understand it from your description the structure is primarily to provide irrigation storage. Now do you determine the share of costs to be borne by the local people in the same way as you do for municipal water supply?

Mr. BROWN. No. The amount of Federal cost sharing for irrigation, storage and other irrigation developments and for drainage is based on the formula which has a maximum of 45 percent of Federal cost sharing. This was based on an administrative determination incident to the amendments to Public Law 566, which were passed in 1956 at the same time that the Small Reclamation Projects Act was enacted, that the two programs would be kept comparable in cost sharing. The Small Reclamation Projects Act provides for interest-free loans by the Federal Government for the full amount of the construction which runs up to 50 years, whereas the Watershed Act requires an interest payment on the loan. We equated the cost sharing to be a 45-percent grant and a 55-percent loan at the current rate of interest as coming to an interest-free loan for the entire amount. This is why the 45 percent was used.

Mr. BALDWIN. If this were being built under the Bureau of Reclamation then the local people would have a loan interest-free for the whole amount.

Mr. BROWN. For the whole amount.

Mr. BALDWIN. And the Federal Government would not be putting up any net after the loan was completely paid for except it would have lost the interest on the money. Why is this being constructed as a soil

conservation project, the dam and the storage, as compared to a Bureau of Reclamation project if it is all for irrigation?

Mr. BROWN. Well, of course, the Bureau of Reclamation is not authorized to operate in the State of Louisiana.

Mr. BALDWIN. No. In effect what you are doing is what the Bureau would do in those States covered by the reclamation law.

Mr. BROWN. Let me put it this way, the Bureau of Reclamation in a reclamation State could of course construct that reservoir and could construct the canal and diverse facilities. There is a lot in this project that the Bureau of Reclamation is not authorized to do. For example, a major feature of the project is the land treatment job to be done on the lands to be brought under irrigation or given supplemental water supply. For example, the local people owning and operating these lands expect to expend a little over \$2 million in the improvement in the on-farm irrigation and crop facilities and the Soil Conservation Service will provide in total \$148,000 worth of accelerated technical assistance to enable these people to do a job on their lands and they will be able to after that to get this supplemental water. This was not authorized to be carried out in the reclamation program but the reason for the structure itself is that this is the only program which these people can get assistance of this kind on.

Mr. BALDWIN. Have we had previous projects submitted to us that involved no flood control at all in connection with a storage dam in the Soil Conservation Service?

Mr. BROWN. Mr. Baldwin, I cannot recall offhand. I would like to ask one of my colleagues here about the Mustard Creek project. We have one other project and this is in a reclamation State, the Mustard Creek project in western Montana which is exclusively irrigation.

Mr. BALDWIN. Built by the Soil Conservation Service?

Mr. BROWN. By the local authorities with the same kind of cost sharing and technical assistance that we expect to provide on this one and there are probably six or eight other projects in the Western States in which irrigation is a feature but not the exclusive feature.

Mr. SCHWENGEL. This is consistent with all your other programs and that is to conserve the soil, is that right?

Mr. BROWN. That is right. The purpose is to provide the most efficient use of the available soil resources in this area.

Mr. SMITH. Are there any further questions?

Mr. McFALL. Will you tell us what sections of the law are relevant to this project? I, like the other questioners previous to me, had thought this program was confined to flood control and so forth, although I am certainly in favor of the objectives of this project. For my own enlightenment I would like to know something about the scope of the section which permits this type of project. How big can it be and the type of cost sharing? I think the objectives are admirable but I had not known about them before.

Mr. BROWN. The authority for this is provided in section 2 of the act which states that—

For the purposes of this act, the following terms shall mean: * * *

Works of improvement * * * any undertaking for—

(1) Flood prevention (including structural and land-treatment measures) or

(2) the conservation, development, utilization, and disposal of water in watershed or subwatershed areas not exceeding 250,000 acres * * *.

The act provides these two purposes or a parallel and the purposes can be developed exclusively for one of those purposes or exclusively for the other purpose, or for any combination of them.

Mr. McFALL. Exclusive of water conservation, limited to a 250,000-acre area? Is there any limit on the size of the structure?

Mr. BROWN. Yes; the limit of 25,000 acre-feet in total and this is the maximum size structure that can be built, and the limitation of 5,000 acre-feet on the amount of flood prevention capacity in the structure.

Mr. ROBISON. The limitation of Federal contribution as 45 percent is set up in administrative order, is that right?

Mr. BROWN. That is correct. The act gives a formula which is not a mathematical formula. The act says that the local organization shall:

Assume * * * such proportionate share, as is determined by the Secretary to be equitable in consideration of the direct identifiable benefits, of the costs of installing any works of improvement, involving Federal assistance, which is applicable to the agricultural phase of the conservation, development, utilization, and disposal of water or for fish and wildlife development, * * *.

And the Secretary has administratively determined that there will be a ceiling for the reason I previously mentioned on the amount of Federal assistance for this cost of 45 percent, and a ceiling of 50 percent on the Federal contribution to fish and wildlife.

Mr. BALDWIN. Instead of irrigation if this were for domestic water supply you mentioned here the Federal Government charges interest. If it is for domestic water supply if I understand you correctly then the Federal Government would require the local area to put up the entire amount if it were entirely for that purpose?

Mr. BROWN. That is correct, yes; they would put up the entire cost but would still be eligible for a loan at the same rate of interest as an organization that wants to develop irrigation and water supply.

Mr. BALDWIN. So, in effect, the people who want the water for a municipal water supply are not getting as good a deal so to speak as the people who would want it for irrigation, since the same people who wanted it for a municipal water supply if they took a loan would have to take a loan on the whole value of the loan and pay it off with interest, whereas otherwise they would get a Federal grant on it and the percentage would be different.

Mr. McFALL. I would like to develop that a little further, Mr. Brown. Suppose the city of Alexandria should do this for a water supply purpose rather than for irrigation work, detail financially how this would be worked out? Not down to the fine points, but broadly.

Mr. BROWN. Since this is a multiple-purpose structure, including fish and wildlife storage if the other purpose were municipal water supply, the costs would be allocated and the city of Alexandria would pay the full cost of the municipal water supply component and either the city or the county or the parish jury would pay 50 percent of the total cost of the fish and wildlife storage. There would be a Federal contribution of 50 percent.

Mr. McFALL. Fifty-fifty of the fish and wildlife and the local people pay the entire cost of the water supply position?

Mr. BROWN. But the entire non-Federal cost can be secured as a loan under the loan provisions of the act at an interest rate which is currently in excess of 2.6 percent.

Mr. McFALL. This is similar to the Small Projects Act, is it not?

Mr. BROWN. Except that the Small Projects Act makes loans without interest.

Mr. McFALL. Up to what, \$10 million?

Mr. BROWN. They have a limitation of I believe at present \$5 million of the Federal.

Mr. McFALL. What is the limitation on this?

Mr. BROWN. There is not any limitation in the law itself on the amount of funds. However, the Department of Agriculture has not submitted any project up to this time in which the Federal cost is in excess of \$5 million. This is an administrative determination rather than a legal determination.

Mr. McFALL. The limitation in law is 25,000 acre-feet?

Mr. BROWN. Yes, that is a physical limitation of size which exists in the law, and also the size of the watershed area.

Mr. McFALL. Thank you.

Mr. SMITH. Thank you, Mr. Brown. The next project we have is in Arizona, the Magma watershed and we have our colleague, Mr. Udall.

MAGMA WATERSHED, ARIZONA

STATEMENT OF HON. MORRIS UDALL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. UDALL. I am grateful for the opportunity to be here with you this morning. The hour is late and I know you have other matters to consider so I won't make a major oration out of this. The Soil Conservation Service people have the technical data. I won't go into that except to point out that this watershed is located on the agricultural land between Phoenix and Tucson. It is located in a dry desert area. It was just 114° out there the other day and it reminds some of us of the hinges of Hell that we hear of now and then.

People sometimes ask why we need flood control in Arizona. Our friends across the Colorado River in this great State have erected a mountain range and that keeps most of the moisture from reaching us. This area gets about 8 or 9 inches of annual rainfall a year. The trouble with it is that most of it comes in a period of a week or so in the months of August and September.

They tell the old story about the man from the East who came out there to Arizona and got to talking with one of the older residents and said, "I hear that you don't get much rain out here."

And the old fellow from Arizona said, "We get only 8 inches of rainfall a year."

The fellow from the East said, "That isn't very much, is it?"

And the fellow from Arizona said, "Well, you ought to be here the day we get it."

And this is what happens in this area. In the late summer the rain comes down all at once and it runs off. This project would protect about 13,000 acres of very valuable cotton and alfalfa and general farmland and it would generally give good protection to all of the various activities in this quite heavily populated farming area.

I want to urge that the subcommittee give very careful consideration to it, and the people in the area and myself would be most happy if this project could be approved. We think it is sound and feasible.

I will anticipate a question with respect to northeastern Oklahoma. [Laughter.]

Mr. SMITH. Mr. Brown?

Mr. BROWN. This Magma watershed project is jointly sponsored by the Florence-Coolidge Conservation District and Pinal County. As Mr. Udall has pointed out this area is subject to frequent and severe cloudburst-type flooding during July through September in the growing season in this area. In August of 1954 there was such a flood which caused more than a quarter of a million dollars damage to crops in the area which is shown in green on this map. The damage amounted to about 69 percent of the total damage and the other damage being to farm facilities and roads and other developments in the area.

Also an irrigation canal system in this area, and this is all irrigated land, are frequently breached and filled with debris coming down off of this desert land.

The Indian Service has a canal system in the lower part of this area which serves some 1,000 acres of land. That canal is subject to frequent damage. In this area as a whole and the watershed as a whole which consists of 70,000 acres about 20 percent of the area is now in cultivation, primarily cotton, small grains and alfalfa, and the amount of cultivated land is expected to remain the same after the project is put in except that it will be protected.

About 78 percent of the area is desert range. For the watershed as a whole about 13 percent of the land is in Federal ownership, about 1 percent of that being Indian land. State ownership is intermingled with Federal ownership and takes in about 59 percent of the total acreage, and the private land amounted to about 27 percent of the area, concentrated down here. This is cultivated land down here and we get a value of about \$2,000 an acre and up. It is highly productive land. I suppose this will produce 2½ to 3 bales of cotton.

Mr. UDALL. Some of the best cotton land in the world, I think. [Laughter.]

Mr. BROWN. It compares favorably with the Yazoo Delta cotton.

Mr. UDALL. Perhaps I should not have said that.

Mr. BROWN. Now with respect to the measures recommended here, this is called a floodwater-retarding structure. However, it is essentially a long dike and diversion here which catches all the runoff which comes down in innumerable channels and controls that behind this embankment and provides for its release into a channel which goes down in this direction.

This channel will have several grade stabilizing structures to protect it against erosion. The capacity back of this structure in here will be 4,840 feet and the length of the channel which will be protected by grade stabilizing structures is about 11.2 miles.

The area that is now subject to flood covers about 92 percent of the area and about 90 percent of the area will be protected in the 50-year flood frequency. The present annual average damage will be 94 percent controlled.

The total cost of this project will be \$2,919,000, of which the Federal cost will be \$2,544,000 or 87 percent and the non-Federal cost will be \$375,000 or 13 percent primarily for easements and rights-of-way. The benefit-cost ratio is 1.2 to 1 and the project is scheduled for installation over a period of 10 years.

The dam that is proposed would be built in the first year but the project would be kept open to determine the extent to which the stabilization of this channel needs to be observed and modified if necessary during subsequent years.

The average operation and maintenance cost of the project will be \$10,500 and this will be borne by Pinal County.

Mr. SMITH. Thank you, Mr. Brown. We have just a few minutes to get these other two projects in.

Mr. WETZEL. I will move very rapidly, Mr. Chairman.

MUDDY FORK OF ILLINOIS RIVER WATERSHED, ARKANSAS

The Muddy Fork of the Illinois River is in Washington County, Ark. The application is sponsored by the Washington County Soil Conservation District, the city of Lincoln, and the Arkansas Game and Fish Commission.

There have been very serious floods occurring over the past 20 years in the agricultural flood plain indicated in yellow on this map. During the 20-year period 66 storms have inundated more than 25 percent of the flood plain area. The storm of May of 1956 caused an estimated damage of more than \$27,000 on an annual basis.

In addition the city of Lincoln at this location here is very short of the water supply. They have been getting their water from springs. The springs have proven inadequate. They have explored deep wells. They are not feasible in this area, so they have been interested in water supply.

The project as proposed by the local people includes four flood prevention reservoirs, two of which will be multiple purpose and the municipal water supply for the city of Lincoln will be included in the structure, together with the flood prevention capacity. The local people with the support of the Arkansas Game and Fish Commission have proposed a structure with a cost that will involve a project at a total cost of \$1,554,000 of which the local people will put up 54 percent or \$843,000 and the Federal Government will put up 46 percent or \$710,000.

The cost-benefit ratio is 1.1 to 1. We propose that the project be constructed over a 5-year period. The city of Lincoln has provided consulting engineering services to assist in the development of the plan and the detailed design for the multiple-purpose municipal water supply and flood prevention structure. The Federal Government will provide the design and final engineering on the fish and wildlife flood prevention multiple-purpose structure.

The city of Lincoln has applied for a loan under the authority of Public Law 566 for \$218,000 to finance and pay for the multiple-purpose structure and this will be the cost of a pipeline from the structure down to the city.

The Arkansas Game and Fish Commission has agreed to provide the necessary funds for the 50-percent cost sharing on the fish and wildlife capacity, and they have also guaranteed to operate and maintain the structure and the public access has been guaranteed to the fish and wildlife reservoir.

Mr. SMITH. Thank you, Mr. Wetzel. We will take the next one, the lower Plum Creek watershed, Texas.

LOWER PLUM CREEK WATERSHED, TEXAS

Mr. WETZEL. The lower Plum Creek watershed is a watershed of 153,000 acres located in Hays and Caldwell Counties, Tex., and is a tributary to the San Marcos River.

The application has been sponsored by the Hays-Caldwell-Travis Soil Conservation District, the Plum Creek Conservation District, and the city of Lockhart, Tex.

There are five towns in the watershed. The city of Lockhart with 7,000 population, Luling with 5,500, and the small towns of Dale, Maxwell are also in this immediate area and there is about 33 inches of average annual rainfall. It has had a long history of flooding on the agricultural land. There has also been a history of loss of life on a number of occasions when the major storms have occurred. There have been two major storms in a study period, one of them in 1913 and one in 1936, each of which caused a total damage in excess of \$1 million within the watershed.

The land use in the watershed is 38 percent cropland, 15 percent pastureland, 25 percent rangeland and 14 percent woodland. It is entirely in private ownership. There are 600 farms involved in the watershed with an average of approximately 250 acres. The average value of the land is about \$100.

The proposed measure includes 14 floodwater retarding structures with a total capacity of 27,000 acre-feet and 1 multiple-purpose flood prevention and fish and wildlife structure in this location.

In addition there are 25 miles of channel improvement proposed as indicated within the flood plain area. This plan will provide control runoff from 39 percent of the watershed in the area and the plan will reduce all flood damages at the watershed at 87½ percent.

Total cost of the project is \$4,472,000 of which the local people will expend 26 percent or \$1,168,000 and the Public Law 566 will provide 73 percent or \$3,303,000.

The local people have agreed to put up \$313,000 to cover the cost of the land easements and rights-of-way. The benefit-cost ratio is 1.3 to 1.

The Plum Creek Conservation District is going to introduce enabling legislation and has guaranteed the local funds and have already utilized an ad valorem tax throughout the district to start raising the funds.

The city of Lockhart will provide the bond issue and the local share of the multiple-purpose structure and they will provide for the access road, the development and recreation facilities and sanitation facilities necessary for the full enjoyment of the fish and wildlife facility by the general public.

The Corps of Engineers have authorized a reservoir at Gonzales on the San Marcos River, about 12 miles below the Plum Creek. The plan will reduce the sediment down to the Gonzales Reservoir by 60 percent.

Mr. SMITH. Thank you, Mr. Wetzel. Are there any questions? Thank you, all you gentlemen.

Mr. EDMONDSON. Mr. Chairman, I move that the subcommittee approve and report favorably docket Nos. 45, 46, 47, 48, 49, 50, 51, and 52 that have been heard here this morning.

Mr. BALDWIN. Mr. Chairman, I would like to speak on this question for a minute. I am not going to oppose the watershed in Loui-

siana because it has been submitted to us in good faith and apparently in accordance with the administrative procedure set up by the Soil Conservation Service.

I am a little concerned about the extent to which the Soil Conservation Service have made decisions of this type without the legislative branch of the Government knowing too well just exactly what was being determined, and I am not sure in my own mind whether it is the best procedure for us to be authorizing soil conservation dams that do not have any flood control aspects connected with them at all.

I don't think it is fair to penalize this one area that does not meet the rules and regulations. I am not going to oppose it, but I would suggest that this subcommittee should consider making a study of this to determine whether or not we should establish by law if necessary or by recommendation some kind of legislative policy. I am not satisfied in my own mind that we should be authorizing soil conservation projects that do not have any flood control projects in them at all.

Mr. ROBISON. Mr. Chairman, I want the record to show that I join in the same reservation with Mr. Baldwin.

Mr. SMITH. It is so shown.

Is there a second to Mr. Edmondson's motion?

Mr. McFALL. I will second the motion.

Mr. SMITH. The question is on Mr. Edmondson's motion. All in favor of the motion will signify by saying aye; contrary.

The ayes have it. The motion is carried.

The committee is adjourned.

(Whereupon, at 11:56 a.m., the subcommittee adjourned.)

WATERSHED DEVELOPMENT—1961

WEDNESDAY, AUGUST 16, 1961

HOUSE OF REPRESENTATIVES,
COMMITTEE ON PUBLIC WORKS,
SUBCOMMITTEE ON WATERSHED DEVELOPMENT,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:10 a.m., in room 1302, New House Office Building, Hon. Frank E. Smith presiding.

Members present: Representatives Smith (presiding), Edmondson, Cramer, Baldwin, Schwengel, Robison, and King.

Mr. SMITH. The subcommittee will come to order.

First this morning we want to have testimony in regard to H.R. 3801, which has been pending throughout most of the year. The subcommittee has been informed and advised about it from time to time and the agencies concerned have been in contact with me and other Members of the Congress about it, and other people have.

We will have more testimony about the bill this morning.

(The bill follows:)

[H.R. 3801, 87th Cong., 1st sess.]

A BILL To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army and the Secretary of Agriculture, when authorized to do so by resolutions adopted by the Committee on Public Works of the Senate or the Committee on Public Works of the House of Representatives, are hereby authorized and directed to make joint investigations and surveys in accordance with their existing authorities of watershed areas in the United States, Puerto Rico, and the Virgin Islands, and to prepare joint reports on such investigations and surveys setting forth their recommendations for the installation of the works of improvement needed for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes. Such joint reports shall be submitted to the Congress through the President for adoption and authorization by the Congress of the recommended works of improvement.

SEC. 2. When the Congress has authorized the projects recommended in such joint reports, those recommended works of improvement located on or along a stream or other waterway having a drainage area above such improvements of more than two hundred and fifty thousand acres, and those recommended local protection works situated within the boundaries of urban areas within drainage areas of two hundred and fifty thousand acres or less which constitute a substantial part of the recommended works of improvement for such drainage areas, shall be prosecuted by the Secretary of the Army under the provisions of the Flood Control Act of 1936, as amended and supplemented; and those recommended works of improvement located on or along a stream or other waterway having a drainage area above such improvements of two hundred and fifty thousand acres or less, except for such local protection works as are mentioned above, shall be carried out by local organizations with assistance from the Sec-

retary of Agriculture under the provisions of the Watershed Protection and Flood Prevention Act, as amended: *Provided*, That such joint reports shall contain an economic justification for the recommended system of works of improvement, and no further economic justification shall be required in connection with plans for such works of improvement prepared under the provisions of the Flood Control Act of 1936, as amended and supplemented, or the Watershed Protection and Flood Prevention Act, as amended.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, such sums to remain available until expended.

Mr. SMITH. First, we will call on Maj. Gen. William F. Cassidy.

STATEMENT OF MAJ. GEN. WILLIAM F. CASSIDY, DIRECTOR OF CIVIL WORKS, OFFICE OF THE CHIEF OF ENGINEERS, U.S. ARMY

General CASSIDY. Mr. Chairman and members of the committee, it is a pleasure to appear before you and present our comments on H.R. 3801.

I am appearing in my capacity as Director of Civil Works, in the Office of the Chief of Engineers, U.S. Army. Although the Department of the Army has not completed its formal report on H.R. 3801, informal clearance has been obtained from the Bureau of the Budget for submission of a report along the lines of my statement here today.

Section 1 of H.R. 3801 would authorize and direct the Secretary of the Army and the Secretary of Agriculture, when called upon to do so by resolutions of the Public Works Committee of the Senate or House of Representatives to make joint surveys of river basins, and to prepare joint reports recommending multiple-purpose plans for the conservation, development, utilization, and disposal of water within such basins. The joint reports would be submitted to the Congress through the President for consideration of authorization by the Congress of the recommended works of improvement.

We consider that all water resource projects within a river basin should constitute integral elements of a unified program for the optimum development, use, and conservation of that basin's resources. In carrying out the investigations, surveys, planning, and development of such resources under existing laws and directives from Congress we coordinate fully with other agencies of the Federal Government, the States, and local agencies in such planning and development. Existing laws and established procedures permit, encourage, and in certain respects require such coordination.

In large drainage basins progress has been made in joint planning, such as the Delaware and Potomac River Basins where we have cooperated with Department of Agriculture and other agencies in developing comprehensive plans of improvement. The chairman and several members of this subcommittee are familiar with the situation in the Yazoo River Basin in Mississippi where the Agriculture and Army programs are being coordinated at the field level, but joint formal reports on the coordination efforts have not been prepared. Other recent examples of close coordination of our field offices in development of plans for small watersheds are: Indian Creek, Council Bluffs, Iowa, Gering-Mitchell watershed, Nebr., Richland Creek, Ill.

Separate reports are being processed by our two agencies in accordance with established procedures for consideration by the Con-

gress of the works of improvement recommended for each of these small watersheds.

We consider that development of joint plans and submission of joint reports when authorized by resolution of the Committee on Public Works would be an important step in further coordination of the efforts of our two agencies in water resource planning. Therefore, we are in accord with the objectives of section 1 of H.R. 3801.

However, section 2 of the bill contains other provisions affecting the policies and procedures of the Departments of Agriculture and the Army in their respective programs which we believe should be considered in a broader context of resource policy formulation than that involved in realizing the coordination objectives of section 1 of the bill. We recommend, therefore, that section 2 of H.R. 3801 be deleted.

We believe that if amended by deletion of section 2 the enactment of H.R. 3801 would be desirable.

Mr. SMITH. Thank you very much.

Any questions?

Mr. BALDWIN. I have a question.

General, as I understand it, if section 2 is deleted then all that is left in the bill is authorization for the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys. Now, what would provide the guidance to the Secretary of the Army and the Secretary of Agriculture when they get through their survey and find a project is economically feasible, what would provide them with a guidance as to whether a project then should be carried by either the Secretary of the Army or the Secretary of Agriculture or both?

General CASSIDY. Since this would be a joint report, it would be signed by each agency. We would have to arrive in the report at an agreement between ourselves as to which part would be done by Agriculture and which part would be done by the Army.

Mr. BALDWIN. What guidance principle would be used to determine that?

General CASSIDY. The guidance of existing laws, sir.

Mr. SMITH. I might point out, Mr. Baldwin, that these joint surveys would be made upon specific authorization of the committee so there would be some pretty good guidance informally worked out, probably, before the committee would ever authorize the joint surveys. There would be some knowledge of the fact that there had to be joint projects, not spelled out but there would be some understanding, I imagine, before they would come to the point of asking for a resolution, or approving the joint survey.

Mr. BALDWIN. In other words, when you say you would follow your existing guidelines and existing law, that would mean, for example, if you determined that a portion would more logically be done by the Corps of Engineers and a portion by the Soil and Conservation Service, unless such projects were proved economically feasible, it is conceivable one could be found economically feasible and maybe the tributaries which would be under the Soil Conservation Service, generally speaking, might be found not economically feasible. In other words, you might find feasibility for the main stream work and non-

feasibility for the tributary streams under the Soil Conservation Service, or conceivably the reverse; is that correct?

General CASSIDY. This could be possible since each one of us would have to justify the particular works that were being considered for the resource development, must consider them economically and justify them.

Mr. BALDWIN. Well, as a matter of fact, isn't there a good deal of informal coordination between the two agencies now, even though you may not be authorized to do something jointly? Many times the Corps of Engineers work on main streams with the soil conservation program on the branches.

General CASSIDY. It is automatic now, sir, that we go to the Soil Conservation Service and discuss the problem, because anything they do on the upper watershed is going to affect what we do down below, so there is complete coordination in the field.

Mr. KING. These joint investigations and joint reports are not permissible now, are not being made now?

General CASSIDY. They are not being made as joint reports.

Mr. KING. This would simply permit you to do that?

General CASSIDY. Yes, when required by a resolution.

Mr. SMITH. Thank you very much.

The next witness will be Mr. Young, of the Soil Conservation Service.

**STATEMENT OF GLADWIN E. YOUNG, DEPUTY ADMINISTRATOR,
SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE**

Mr. YOUNG. Mr. Chairman, it is a pleasure to appear before your committee to present the views of the Department of Agriculture on H.R. 3801.

The Department of Agriculture has a long record of support of the concept of coordinated or joint planning among the Federal agencies which have statutory responsibility for water and related land resource conservation and development. We believe that a study of the history of the 1936 Flood Control Act will show that it was the intent of Congress at that time to provide for coordinated planning by the Department of the Army and by this Department of rivers and other waterways and of the watersheds thereof.

The authority of this Department under the Flood Control Acts to make investigations of watersheds for runoff and waterflow retardation and soil erosion prevention was repealed with the enactment of the Watershed Protection and Flood Prevention Act (Public Law 566) in 1954.

Thus, there has been over the years a great deal of cooperation between the two Departments and frequent coordination of efforts, even though there has been no legislative provision providing for the Congress or its committees to direct the two departments to prepare jointly a report setting forth their recommendations for the installation of works of improvement of water and related land resources, including the submission to or approval by the Congress or its committees of such joint plans.

The two Departments already have adequate authority to cooperate with each other and with other Federal, State, and local agencies in

planning specific projects and river basin developments. The authority of this Department for such cooperation is contained in Public Law 566.

Section 1 of H.R. 3801 would provide a means by which the Congress through its Public Works Committees could direct the two Departments under their existing authorities to jointly plan and submit a joint report on watershed areas for adoption and authorization by the Congress. It is our understanding that this section would not diminish the authority of either Department, acting independently under applicable laws to plan and submit reports or work plans for separate projects or watershed areas. We are in accord with the objective of finding a workable procedure for coordinated planning.

Section 2 deals with problems of great complexity. It is our opinion that they should be given more extensive study. We would, therefore, recommend that this section be deleted from the present bill and be given further consideration at a later date.

The Budget Bureau advises that there is no objection to the submission of this statement from the standpoint of the administration's program.

Mr. SMITH. Thank you, Mr. Young.

Mr. Young, if we enact this bill and pass this bill and it becomes law, would there be any possibility under the bill of there being delays of our planning of watersheds, or any improper delays I should say?

Mr. YOUNG. I think the question has been raised and I do not have the benefit of our General Counsel's advice on this point. But I think the question could be raised with respect to whether or not if the Public Works Committee directed a joint survey and plans for a river basin, whether that action in itself would exclude the possibility of submitting local watershed projects under the authority of 566. This is a question that I am not prepared to answer because I haven't gotten the advice of our General Counsel for that specific point.

Mr. SMITH. For instance, suppose that this committee was to be considering—that there would be presented to this committee a joint resolution in regard to a joint survey in some particular basin and you already had pending some type of watershed studies in that area, wouldn't it be the duty and your responsibility to point out to this committee what you are already doing at the time we considered such a resolution?

Mr. YOUNG. Yes; I should think that would be correct.

Mr. SMITH. Is there a possibility that any resolution requiring joint study would offer any delay or impediment to a program that still on its own merits—I think it would be your responsibility to point that out to us.

Mr. YOUNG. I should think it would be our responsibility to point it out at the time the resolution was being considered.

Mr. SMITH. In other words, we would be informed about any such possibility on the presumption that it did exist?

Mr. YOUNG. That is true if we were in the process of planning or the work plans had been completed and they were in the process of review and authorizing. The question could still be raised about whether or not by directing a joint survey of a large river basin in which there are potential 566 projects that had not even come to the

point of planning, whether or not planning under 566 would be excluded under that authority and would be directed to be made under that authority. This is a question I can't answer.

Mr. SMITH. In relation to that, it is conceivable that there may be some basin projects where joint planning on the part of both agencies should be part of the background of this planning for projects, because obviously for your 566 projects you need to know the details and the plans of the corps on that basis.

Mr. YOUNG. That is certainly correct. There is an interdependence between an extreme type of thing that is ordinarily done on the watershed protection projects and the type of thing that is ordinarily done on the corps' projects. There is interdependence and interrelated phases of work that we recognize fully and I agree completely with General Cassidy that we have cooperated and coordinated our work in many instances.

Mr. SMITH. Well, that covers the points I wanted to make.

Any questions?

(No response.)

Mr. SMITH. Thank you very much.

The committee wants to consider this morning testimony from the Soil Conservation Service in regard to some individual projects that are pending before the subcommittee. We have with us one of the projects involved in the district which one of the members of the committee represents, and I think in case we get squeezed out and can't approve them all, we want to give it first priority.

Mr. EDMONDSON. Thank you, Mr. Chairman.

Mr. SMITH. Before we go into these, we have with us here this morning to testify in regard to H.R. 3801 Congressman Poage, chairman of the Agriculture Subcommittee that handled 566 projects, and one of the coauthors of the original legislation creating 566 projects.

Mr. Poage, would you care to talk to us about this?

STATEMENT OF HON. W. R. POAGE, A REPRESENTATIVE IN THE CONGRESS FROM THE STATE OF TEXAS

Mr. POAGE. Mr. Chairman, I appreciate the opportunity to discuss this matter with you because it is one on which I am not very well informed. I was glad to have the opportunity to hear the testimony that was presented, but I must confess that after hearing it I still don't know what this bill would do; and, frankly, I don't believe the departments that testified know what it will do.

Our inquiries from the Bureau of the Budget indicate that they don't know what it will do, and we are not at all sure of the effect of this legislation if passed.

Certainly the Agriculture Committee, as this committee, wants to see the maximum cooperation between the Corps of Engineers and the Soil Conservation Service. We have been very much pleased to observe that there has been in recent years what seems to us to be a very fine spirit of cooperation between those two agencies.

We believe that General Quesada pretty well described the situation when he said here that they were carrying on joint investigations of projects where they felt it was needed, and cited you several examples.

Our committee just had a hearing on Indian Creek, to which he referred, just last week. That is a project where the Soil Conservation Service is doing the upstream work and the Engineers are doing the channel work in the lower part. Obviously, each activity bears a direct relation to the other and without the activities neither one would be very effective. But that is being carried on right successfully, as far as we can see.

We haven't seen the necessity of any change in the law and, frankly, I haven't seen it from the testimony, I haven't been convinced that there is any necessity for a change in the law. I think we are achieving exactly the things we want to achieve at the present time, and it has been my experience that if you are getting good results that it is rather a mistake to disturb a situation that is functioning satisfactorily at the present time.

The chairman asked Mr. Young, very properly, whether this would have any effect upon individual projects if this committee passed a resolution calling—under the terms of this bill, if it were to pass a resolution calling on the two agencies to cooperate, and Mr. Young gave you an answer that I don't believe you know what he said, and I don't know either, and I think he gave it that way because I don't think he knows whether it would tie up his projects or not.

I don't think anybody knows it. I think there is a real good chance, however, that it might do it. Obviously, if it doesn't do it, it can't do any harm, but let us assume that we have a project—we all think in terms of our own home area, and I live in the watershed of Brazos. There are probably something like 60 to 66 projects in that great watershed. That watershed is larger than the valley of Tennessee, incidentally, for those who don't know how large it is. It is a large watershed.

There is legislation, authorization passed by this committee, authorizing the Army Engineers to carry on work and improvements in Brazos to control flood of the Brazos and its tributaries.

Suppose you asked for joint operation between the Army Engineers and the Soil Conservation Service there? Would it mean that the projects that the Soil Conservation Service is today studying in the valley of the Brazos—and there are many of them—would it mean that those projects would all be tied up until the Army Engineers joined in a joint study of those individual projects?

Frankly, gentlemen, I fear that that is exactly what the bill would do.

MR. SMITH. Let me ask you, Mr. Poage, do you think we would do that unless representatives of Brazos wanted it tied up? Do you think we are so unresponsive as that?

MR. POAGE. I don't know, Mr. Chairman. I do know that Congress passed legislation setting up legislation whereby we could have these 566 projects.

Now, I would be reluctant to say that I was going to repeal that legislation, and with all the respect that I have for your great committee here, I would be reluctant to say that we are going to abandon the rules that we all read and live with, and give this committee or our committee or any other committee the right to make those decisions arbitrarily and without guidelines, and I think it is right clear from the chairman's questioning of the representative of the Soil Conser-

vation Service that it is contemplated that the committee would make the guidelines, that we would not rely upon the law that the committee would set out the guidelines between the two agencies in each resolution.

Well, frankly, as one who has been deeply interested in this upstream flood prevention program and one who has been proud of its success, I would be very reluctant to see anything enacted here that would take away the legal basis for its operations.

We think we have got a pretty fair legal basis, certain projects have to come to our committee and certain projects have to come to your committee for review; no projects can be activated without a review by one of the committees of the Congress, but there are guidelines. The law is right plain now as to what can be approved and what cannot, and how projects can be initiated.

Maybe I am seeing ghosts. I know that this bill was not introduced for any purpose of weakening but rather to strengthen a program that all of us believe in, but I am just afraid that sometimes when programs are functioning right well that it is a mistake to seek to adopt some program when we do not know all of the legal implications, and I do not think that any of us know the legal implications of this bill. I think that when both departments come up here and say they want to take out section 2, and I understand that is what they both said, that you don't have anything in the world left except a statement that you want them to cooperate, and there will be times when your committee will tell them to cooperate.

Mr. SMITH. I would like to point out that on specific projects we do that already and if there are people who are concerned about how this will affect 566 projects and want to oppose it, I think we would be in a position to go ahead and move like that on an individual basis with far less concern for the soil conservation projects.

I mean, this program hasn't operated according to the testimony we have heard to all that great perfection and must not be operating to all that great perfection from your viewpoint because certainly, as I understand it, your subcommittee has failed to approve a number of projects. With all this perfection they ought to be approved.

Mr. POAGE. No, I don't so understand, Mr. Chairman. I would understand that a program was fundamentally faulty if we simply allowed everything to go through without any review or consideration.

Mr. SMITH. I don't agree with you.

Mr. POAGE. I think it is a fundamentally sound feature of the program that does provide for review of these projects. Those that involve more than \$250,000 or a structure of more than 2,500 acre-feet, and it provides that all projects of that kind must be approved by one or the other committees. Of course, if it involves a structure of more than 4,000 acre-feet, depending on capacity, your committee has to act on it. If it has no structure of that size, the Agriculture Committee acts on it.

Mr. SMITH. And our committee also acts in the sense that if we approve a project for the corps and it is done in such a way as to involve further soil conservation projects, and unless we get coordination, I think that—

Mr. POAGE. Did you say that your committee did approve—

Mr. SMITH. I say our committee acts—I just pointed out that our committee can approve projects which will virtually eliminate the 566 projects from being done and unless there is proper coordination I think that is what the committee may do in many instances.

Mr. POAGE. I think that you have the authority to approve corps projects, and clearly that would make impractical or unnecessary, undesirable, the carrying out of certain 566 projects.

I think that by exactly the same token this committee and the Agriculture Committee has the authority to approve 566 projects which sometimes reach a point where it makes impractical or undesirable or unnecessary certain corps projects.

I think that it is right clear, if you would take Washita, the work of the Soil Conservation Service there has certainly made—at least it has destroyed the feasibility, let us say, of certain corps projects that might have been developed for that area. I don't know that any would have been developed, but obviously when you have that many—I believe you have 64 at Washita; isn't that right?

Mr. EDMONDSON. I do not know the exact number, but it is a very high number.

Mr. POAGE. Obviously it makes unnecessary the carrying out of some other project. We hope that these do that.

Obviously, if they do not do that sort of thing, they are both failures. If neither one contributes to relieving the amount of the other activity that is needed, and certainly we have a review on them and such, and the Congress does have review on all of these projects, but I am just wondering—I do not come before you to say that I know what this bill is going to do, I do not come before you to tell you I know this bill is going to do harm, I am simply raising a warning which I think is entirely justified.

I think that there is a danger, I think we should know more clearly just what this bill is going to do than we do at the present time, and it is only for purposes of sounding that warning that I wanted to appear before you gentlemen this morning.

Mr. EDMONDSON. Mr. Chairman?

Mr. SMITH. Mr. Edmondson.

Mr. EDMONDSON. The gentleman from Texas mentioned Washita, and I am sure the gentleman is aware that the Bureau of Reclamation in the Department of the Interior has developed pretty sizable projects in that area also.

Mr. POAGE. Yes.

Mr. EDMONDSON. I think that thus far, on a kind of hit-and-miss basis, they have meshed fairly well, what has been done, but I think what the gentleman from Mississippi is trying to do is try to get some direction and planning by the departments who have missions that should mesh and should dovetail in their operations wherever possible, and I think, if I understand correctly the gentleman's purpose here, and I am certain he has no desire at all to throw any roadblocks in the way or throw any money away, the purpose of it is to try to get some concert in planning and long-range development of these areas by the departments that are most vitally affected right from the outset.

Where the committee does feel that it is advisable to do this, and certainly I would be one on the committee and I think every member on the committee would be one who would look first to the Member of

Congress who represented that area for guidance and advice as to whether that district and that Representative in Congress felt that this type of concerted planning should take place. I certainly think that would be a general feeling on this committee.

MR. CRAMER. As I understand it, the basic problem that exists today is that this committee as such, even though it has jurisdiction over this matter, does not have authority to initiate a request for surveys for these joint projects, a portion of which relates to this committee's jurisdiction. In other words, the agencies involved have the initiating authority and we have the reviewing authority.

We had a similar problem in the Public Buildings Act procedure in 1958, and I am sure the members of this committee are familiar with it. There was no way that this committee as a Public Works Committee of the House, with a Public Building Grounds Subcommittee therefor, had any jurisdiction to initiate any surveys that they felt were needed. And I think that the result of the 1958 act is that some semblance of order has resulted in an area that prior thereto was chaotic and likewise the Congress is asserting its proper jurisdiction now.

Does the gentleman have any objection to that basic approach by this committee in initiating action, requesting such surveys as is the case, is it not, Mr. Chairman, in all the other public works projects and now is the case in public buildings?

MR. POAGE. I am sorry that the gentleman didn't hear my first statement.

I have no objection at all to trying to get all of the coordination that we can. I think that is highly desirable, but I don't think it is desirable to pass legislation if it may have the effect, and I am not prepared to tell you what effect it will have, but I think it was clear from the testimony of the witnesses that they don't know either. I don't think that there is anybody can make a clear-cut statement that they know what the effect of this bill—and I am very certain that I don't want this kind of legislation passed if it is going to mean that once a resolution of this kind is passed for watersheds like the Brazos or the Washita or the Roanoke River or any other streams, that such a resolution is going to preclude all further 566 development.

MR. EDMONDSON. May I personally, at this point, make it clear, very clear, that if I felt that was going to be the effect of this resolution, I would take a stand probably against it right now, and I hope the gentleman will give us the opportunity to discuss this with him a little bit further before he reaches any conclusion about what this committee intends to do with legislation of this kind.

MR. POAGE. Mr. Edmondson, I stated when I first appeared here that I am not here to oppose anything but to sound what I think is a needed warning. I don't believe in the philosophy of giving the presumption to all bills that come before the Congress that they are good. I believe the presumption is against legislation and that the burden is on the proponents to prove the necessity of legislation, and I think that is a good, sound, fundamental rule to proceed on.

I do not indulge a presumption in favor of every bill that comes before our committee or your committee nor before the House even after it has come out of committees. I think you must require the proponents to assume the burden of showing what their bill is going

to do and I am simply raising the question here that it seems to me that that burden has not as yet been met.

I am not prepared to say that this cannot be met and I am not making any charge that it can't be met. I am quite sure that this bill has been introduced for the best of purposes, and I am quite sure that it is desirable to have all the cooperation that you can get, but I don't want to legislate cooperation at the expense of destroying a program that is presently working right well.

Mr. SMITH. Let me say that it is inconceivable that the legislation on the part of the people interested in it would have the effect of shutting off 566 development in any basin where we pass a resolution. When this committee acts on a bill, I am sure it will make clear in its report and in the legislative history that such power is not granted in the bill.

Mr. POAGE. Mr. Chairman, I must respectfully suggest that it isn't inconceivable. I have talked to lawyers who have studied the thing, and they feel it is very conceivable.

Mr. SMITH. I would like to raise the possibility, Mr. Poage, that there are differences in interpretation about these things.

Mr. POAGE. Of course there is, and that is why I take issue with your statement that it is inconceivable, because it is conceivable to a great many people. There are differences of interpretation and that is what I fear, those differences of interpretation.

I am not saying you can't work this thing out to where it will be perfectly clear; I hope you can. But I am merely suggesting that in my humble opinion you haven't done it as yet.

Mr. SMITH. Any further questions?

Mr. SCHWENGEL. I have an observation to make. I have no questions.

I think, first of all, I want to say that I respect the gentleman who is appearing before us and I think he has made good contributions in the area which we are now considering.

Of course, I respect his right to come here and make his statement in regard to this legislation, and make whatever objection he would wish to make, but I would like to point out also that in a report of Agriculture appropriations, 1962, that this is a very significant statement because of this situation. It is one of the great reasons that our chairman has been interested in this legislation and it points up the reasons for this legislation. This report reads in part:

The United States continues to suffer heavy soil erosion losses. Some 120 million acres are being endangered seriously. Only about a third of our land is safeguarded adequately. More than half of the estimated 1,200 million annual floodwater sediment damage in the United States occurs in the headwater streams and small tributaries.

Now, this points up the fact that there is a serious problem in America and that we need to come to grips with it, and I have this question: If this isn't the proper answer, I would like to have you, sir, who have demonstrated so much interest in the welfare of the farm population of our country, to come forward with some ideas that will provide some answers to this very, very challenging problem.

Mr. POAGE. I think the answer to your question is quite simple, and I think the Appropriations Committee met the issue, recognized the issue, although they didn't possibly meet it. We are doing a job, we

are stopping this erosion, we are doing it presently, and right successfully. We are doing it within the limits of the money that the Appropriations Committee, from which you quoted, gave us. If they will give us three times as much, we will do it three times as fast.

In my opinion, we need about three times what we are now getting. I think we can efficiently and properly spend a hundred million dollars a year on upstream flood prevention programs. We are not spending that money and obviously this erosion is going to continue whether you pass laws for coordination or whether you don't pass them. This erosion is going to continue until you have somebody out there to do the work.

The whole point at issue here is whether you are going to get this work done faster by passage of this bill or not. I judge that members of the subcommittee here feel that it will be done faster, and maybe it will be; I hope that it would if the bill passes.

It is my fear, and I haven't expressed a judgment on this thing, but it is my fear that you may be slowing down rather than expediting the work of soil conservation on the upstream reaches.

Further, I am opposed to it, Mr. Schwengel, because I want to proceed with this work. I think that it ought to be moving along and we ought to be stopping some of that vast erosion that they referred to, but merely passing a law here saying when we pass a resolution you have got to do it in this form or another doesn't guarantee that you are going to stop any erosion. It may or it may not stop erosion, and that is the question we have got to answer, not the question of are we in favor of stopping this erosion. We are all in favor of that, you and I, this committee and the Agriculture Committee, all favor that.

The whole question is, How do you do it most expeditiously?

Merely telling me that we have a serious problem here, that is no answer to your question, telling me that the problem is serious. I am well aware that the problem is serious; I wouldn't waste my time coming down here if I didn't think it was serious.

MR. SCHWENGEL. I can think of situations in my own district where if the Army had the authority to force cooperation that we not only would have solved some soil erosion, some very serious soil erosion problems, but we would have solved some sediment problems that are costing thousands of dollars a year in Iowa, because some people in the headwaters aren't forced to cooperate.

I am not sure whether this is an answer or not, but I am saying there is real reason for us to consider this kind of legislation.

MR. POAGE. Your statement brings out some of the serious reservations I have about this because you indicate that it is contemplated here—I hadn't recognized that it was clear, hadn't so clearly recognized that it was—but you indicate it is contemplated here to force somebody to cooperate in these upstream flood prevention programs. As much as I am interested in upstream flood prevention, I am not interested in forcing those people to be a part of that.

Now, if you want to establish—I know we have under 566 a purely voluntary program under which you can't force—this committee cannot, and our committee cannot go out and authorize a project and say somebody has got to build it. Those projects come from the farmers, those projects come from local organizations which propose those

projects to the Soil Conservation Service, and they come from the soil up. I think that is a fundamentally sound provision.

Now, I recognize that with the Army Engineers projects, they are instructed by this committee to go and they are authorized to build a project and they are given the money by the Appropriations Committee, and they don't have to wait, and there is a good reason for that, they don't have to reply upon local action, but under our soil conservation program we require local initiative, and I think it is a good thing, and I don't want legislation that is going to say that we are going to compel these people to participate in a program.

Mr. SCHWENGEL. I am somewhat surprised to hear the gentleman talk that way because in agriculture legislation he certainly has been in favor of programs that compel the farmer to do something through legislation.

Mr. POAGE. No, the gentleman is wrong on that.

Mr. SMITH. We have about eight projects to hear about here before 12 o'clock. Let's not discuss general farm legislation. We might not get that solved today.

Mr. POAGE. If there are no further questions——

Mr. SMITH. Thank you, Mr. Poage.

Mr. POAGE. Thank you very much. I appreciate the opportunity to discuss this with you.

Mr. SMITH. Mr. Wetzel, will you give us a résumé on Sallisaw Creek?

STATEMENT OF JOHN H. WETZEL, DIRECTOR, WATERSHED PLANNING DIVISION, SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE—Resumed

Mr. WETZEL. I will not go into quite as much detail as we have previously gone into since time is short, and I will be pleased to answer any questions on details of the projects which you might wish me to answer.

Sallisaw Creek watershed is located in Sequoyah, Adair, and Cherokee Counties, Okla. The creek is a tributary to the Arkansas River and covers an area of 185,280 acres and is sponsored by the respective conservancy districts within the three counties.

The problems are primarily a very serious history of flooding in the agricultural flood plain, as shown on the yellow map. Major floods have occurred as often as four times in 1 year. During a study period there was a history of 26 major floods in a 20-year period.

Associated with the flood problem is a very critical municipal water supply problem in the three towns of Sallisaw, Stillwell, and Marble City.

The project as proposed by the local sponsors proposes a series of 40 flood water retarding structures, which will control 66 percent—run off 66 percent of the watershed, plus 2 multiple-purpose structures, 1 located at this point, which will provide municipal water supply for the city of Sallisaw, and a second located at this point, which will provide municipal water supply for the city of Stillwell.

The project also proposes the necessary pipeline for transporting the water to the cities from the reservoirs and the pumping plants in order to get the water into the city of Stillwell.

The municipal water supply situation has been very serious in these two cities.

The city of Stillwell has obtained their municipal water supply from wells which have been inadequate. They have attempted to develop additional wells which have not been successful. The city of Sallisaw has been diverting the water from Sallisaw Creek at this point just above the maintenance highway leading into the town.

The proposed project will have a total cost of \$6,932,215, of which the local people will put up 34 percent or \$2,379,631, and Public Law 566 funds will provide \$4,552,584 or 66 percent of the total cost. The flood damages will be reduced by 87 percent and will provide adequate protection for 12,000 acres of flood plain land and will permit more intensive use of that land.

The benefit-cost ratio is 1.5 to 1.

The Sallisaw Creek Conservancy District will construct the flood prevention structures. The city of Stillwell will construct this municipal water supply reservoir. The city of Sallisaw will construct this one, and the city of Stillwell will construct this reservoir. The cities, together with the conservancy district, have guaranteed operation and maintenance for the complete project.

Marble City, located at this point, also has a very serious water supply problem, probably the most critical of the three cities. However, they have explored all possibilities of incorporating the water supply in structure 28 located adjacent to the city. At this time they have not been able to provide adequate financing to incorporate the water supply in that structure.

There are about 15,000 acres of land that are administered by the Bureau of Indian Affairs in the watershed. The Bureau of Indian Affairs will carry out the land treatment program on that land.

Mr. SMITH. Thank you, Mr. Wetzel.

Mr. EDMONDSON. I would just like to add one word to what has been presented with regard to these projects.

Most of the benefits of those projects will accrue to the Second Congressional District. There will be some incidental benefits to the Third Congressional District, in which Congressman Albert is interested. Primarily the benefits come to communities and people in three counties that all are expected to be classed as depressed areas under the area redevelopment legislation. I think two of them already have and the third one is expected to be shortly. This is a very low income, low industrial employment area in which the provision of additional water supply for municipal purposes and for possible industrial development is absolutely essential.

I certainly want to congratulate the Government agencies that have helped to develop this plan, because I know how tough a problem they found in getting municipal and local resources to meet the municipal end of the construction costs.

Mr. ROBISON. Just out of curiosity, would you happen to know if the municipalities involved are going to have some aid, Federal aid under the depressed area bill, toward their share of the municipal water project?

Mr. EDMONDSON. I know of no plan to do that at this time. I have no information on that point to give the gentleman. I would suspect that if Marble City is able to get any part of this water development,

that it probably will have to go that route because it is a very small, very limited community in its resources and these areas, as has been mentioned before, in which the trust lands of the Cherokee Tribe are concentrated.

Mr. WETZEL. I might point out, sir, that the city of Sallisaw and the city of Stillwell have already applied for loans to finance their part of the cost—that is, loans under the authority of Public Law 566 at the 2.6 percent interest rate.

Mr. SMITH. Thank you, Mr. Wetzel.

(The Sallisaw Creek watershed work plan follows:)

SALLISAW CREEK WATERSHED WORK PLAN, OKLAHOMA

Size and location.—185,280 acres in Sequoyah, Adair, and Cherokee Counties.

Sponsors.—Sequoyah County Soil Conservation District, Adair County Soil Conservation District, Cherokee County Soil Conservation District, Sallisaw Creek Conservancy District, city of Sallisaw, city of Stillwell.

Purposes.—Watershed protection, flood prevention, municipal water supply.

Principal measures.—Soil conservation practices on farms and ranches; and structural measures consisting of 40 floodwater retarding structures, 2 multiple-purpose storage structures, and 2 water supply lines.

Annual benefits

Flood prevention to crops and pasture.....	\$191, 207
Flood prevention to agricultural property.....	22, 214
Flood prevention to nonagricultural property.....	19, 645
Reduced indirect damages.....	17, 127
Sediment reduction—Short Mount Reservoir.....	22, 429
Municipal water supply.....	40, 521
Total.....	313, 143

Project costs

	Public Law 566 ¹ funds ¹		Other funds		Total dollars
	Dollars	Per- cent	Dollars	Per- cent	
Land treatment measures.....	121, 008	9	1, 258, 660	91	1, 379, 668
Structural measures:					
Flood prevention.....	4, 431, 576	93	314, 229	7	4, 745, 805
Municipal water.....	0	0	806, 742	100	806, 742
Subtotal.....	4, 431, 576	80	¹ 1, 120, 971	20	5, 552, 547
Total.....	4, 552, 584	66	2, 379, 631	34	6, 932, 215

¹ Consisting of:

Construction cost.....	\$695, 247
Installation services.....	56, 086
Administration of contract.....	12, 600
Land, easements and rights-of-way.....	357, 038

Benefit-cost ratio.—1.5 to 1.

Mr. SMITH. The project we would like to consider next is the Middle Fork of Anderson River watershed, and we have our colleague, Mr. Denton with us and we will hear from him.

**STATEMENT OF HON. WINFIELD K. DENTON, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF INDIANA**

Mr. DENTON. Mr. Chairman and members of the committee, I want to thank you for the opportunity of appearing before you and I strongly endorse this project, the small watershed on the Middle Fork of Anderson River. I know it is badly needed both for soil conservation and flood control.

It is sponsored by three soil conservation districts. The Government's cost is 64 percent, which is about a million dollars and local costs are 36 percent which in round numbers is half a million. It will protect 70,000 acres and the limits will comprise 10,000 acre-feet.

Mr. Schwengel would probably be interested to know that this was a river over which Abraham Lincoln ran a ferry when he was a boy, and I guess the chairman knows the connection of Joe Jasper, who was on the Natural Resources Committee and who was very interested in this project. He is head of REA in Indiana.

I am not going to talk much longer because you have more information than I could possibly give, but I think it is a very fine operation. It is a good bill and I think it should pass.

Mr. SMITH. Mr. Wetzel, will you give us a brief résumé on the project?

Mr. WETZEL. This project, as the Congressman says, is located in Perry and Crawford Counties in Indiana. It is a tributary to the Ohio River and covers about 70,000 acres. It is sponsored by the soil conservation districts in the two counties, plus the Middle Fork Watershed Conservancy District, which has been recently organized under the State laws, and which will be the agency to carry out the project.

There is a long history of serious flood water damages in the 3,300-acre flood plain, as shown in yellow on the plan. The flood hazard has been so great that the landowners have not felt justified in carrying out intensive cultivation in the flood plain area.

There is about 6,000 acres of natural forest lands in the watershed, the remainder being privately owned, with about 350 farms in the watershed which average about 160 acres each.

The program as proposed by the sponsoring organizations includes six floodwater retarding structures located in the dark-blue color on the map, and 34.4 miles of channel improvement in the lower portion of the watershed.

The acres that will be benefitted from this project are about 3,400, which include all of the flood acres.

The structures will control runoff from approximately 50 percent of the watershed area.

The costs of the project, as the Congressman has said, the total cost is \$1,567,970, with Public Law 566 funds providing about 64 percent or \$1,004,480, and the local people will provide \$563,490.

There is also a small urban area located at the mouth of the watershed, which will be protected and will have protection against storms of a hundred-year frequency.

Perry County, in which most of these watersheds are located, has also been designated a pilot county under the rural development program and that project will contribute substantially to improving the economic situation within the watershed.

The Watershed Conservancy District has already applied for a loan of about a hundred thousand dollars under the authority of Public Law 566 to finance the lands easements and rights-of-way that will be necessary.

The benefit-cost ratio for the project is 1.2 to 1, and it is proposed that it be installed over a 5-year period.

Mr. SMITH. Thank you, Mr. Wentzel.

Any questions?

(No response.)

(The work plan follows:)

MIDDLE FORK OF ANDERSON RIVER WATERSHED WORK PLAN, INDIANA

Size and location.—69,400 acres in Perry and Crawford Counties.

Sponsors.—Perry County Soil Conservation District, Crawford County Soil Conservation District, Middle Fork Watershed Conservancy District.

Purposes.—Watershed protection, flood prevention.

Principal measures.—Soil conservation practices on farms; and structural measures consisting of 6 floodwater retarding structures and 34.4 miles of channel improvement.

Annual benefits

Flood prevention to crops and pasture.....	\$49,931
Flood prevention to agricultural property.....	2,047
Flood prevention to nonagricultural property.....	5,337
Reduced indirect damages.....	4,298
Total.....	61,613

Project costs

	Public Law 566 funds		Other funds		Total dollars
	Dollars	Per-cent	Dollars	Per-cent	
Land treatment measures.....	80,880	16	411,850	84	492,730
Structural measures, flood prevention.....	923,600	86	151,640	14	1,075,240
Total.....	1,004,480	64	563,490	36	1,567,970

¹ Consisting of:

Administration of contract..... \$7,020

Land, easements and rights-of-way..... \$144,620

Benefit-cost ratio.—1.2 to 1.

Mr. SMITH. The next project will be the Big Sandy Creek Watershed in Colorado, and we have our colleagues Mr. Chenoweth and Mr. Dominick here.

Mr. Chenoweth.

STATEMENT OF HON. J. EDGAR CHENOWETH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. CHENOWETH. Mr. Chairman and members of the committee, I am indeed happy to appear before you in support of the Big Sandy Creek supplemental watershed project, which is located in Elbert and El Paso Counties, Colo. I appeared before the House Committee on Agriculture in 1958 on the original project.

As I recall, the Big Sandy group was one of the first groups to sponsor and promote a watershed project in the entire country. I am not sure they were actually the first, but I feel certain they were among the first, and that was one of the first projects of this kind to be approved by Congress.

The project is now being constructed and the only change is enlargement of the Ramah Dam structure, the improvement adding some 500 acre-feet.

I will not go into the details, Mr. Chairman. I am aware of the interest in this project and I certainly urge the committee to give it favorable consideration.

I would like to ask leave to include my prepared statement in the record.

Thank you very much, Mr. Chairman.

Mr. SMITH. Thank you.

(The statement follows:)

STATEMENT OF HON. EDGAR CHENOWETH IN SUPPORT OF BIG SANDY CREEK SUPPLEMENTAL WATERSHED PROJECT, ELBERT AND EL PASO COUNTIES, COLO.

Mr. Chairman and members of the committee, I am happy to appear before you in support of the Big Sandy Creek supplemental watershed project in Colorado. This project consists of 219,000 acres in Elbert and El Paso Counties. Part of the project is located in the district of my colleague, Mr. Dominick of the Second District, and part of the project is in my district.

The sponsors of this project are the Big Sandy Soil Conservation District, the Colorado State Soil Conservation Board, and the Colorado Game and Fish Department. The purposes of the project are to provide watershed protection, flood prevention, and the development of fish and wildlife.

The project will consist of 13 floodwater-retarding structures and one multiple-purpose storage dam, all of which have a total storage capacity of 10,586 acre-feet.

The project will cost \$1,321,241. Of this amount the Federal Government will contribute 66 percent, or \$871,374, under Public Law 566. The local contribution will be 34 percent, or \$449,867. The benefit-cost ratio is 1.3 to 1.

The annual benefits of the project are:

Flood prevention to crops and pasture-----	\$24, 207
Flood prevention to agricultural property-----	2, 751
Flood prevention to nonagricultural property-----	13, 674
Reduced indirect damages-----	2, 269
Total-----	42, 901

Mr. Chairman, I want to thank you for the opportunity to appear in support of this project, and I urge favorable action on the same.

Mr. SMITH. Mr. Dominick.

STATEMENT OF HON. PETER DOMINICK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. DOMINICK. Mr. Chairman and members of the committee, I am happy to join with my colleague, Mr. Chenoweth, in support of this project.

The actual structure is going to be built in the district represented by Congressman Chenoweth and a substantial portion of the benefits of this local project will inure to the benefit of the area that I represent, up in Elbert County.

We have an interesting situation in our adjoining districts there, because not only do we have this as a joint project, we also have a judicial district in the State which covers portions of mine and portions of his.

It is my understanding that the principal purpose of this particular proposal is to have the multiple-purpose structure indicated down at Ramah, and 50 percent of the cost of this will be paid for, of course, by the State and by the local sponsors.

It is sponsored by the Big Sandy Soil Conservation District, the Colorado State Soil Conservation Board, and the Colorado Game and Fish Department.

I appreciate the chance of being here and I certainly appreciate your interest in this project.

If there is any further information I can give you at a later date, I will be happy to do so. I do not have a prepared statement, but I certainly want to urge your consideration of it and give it my support.

Mr. SMITH. Thank you, Mr. Dominick.

Mr. Wetzel, would you like to comment?

Mr. WETZEL. I might emphasize that this is practically a complete project at the present time. There are 13 floodwater-retarding structures that were authorized by the plans as approved by the Agriculture Committee January 31, 1958. The reason it is coming before your committee at this time is that the Colorado State Fish and Game Commission has requested that the last structure to be built, located at that point, that the plan be revised so as to include 500 acre-feet of fish and wildlife capacity under the provisions of Public Law 566.

The revised design on this particular structure increases the capacity of the structure from roughly about 3,000—a little better than 3,000 acre-feet to 5,300 acre-feet.

On the basis of legal advice, we are presenting this plan to this committee, even though it was previously approved by the Agriculture Committee and is practically entirely installed on the land at the present time.

Since this new structure, this revised structure, will exceed 4,000 acre-feet, the additional cost involved in this development will be \$72,000 of Federal money and \$32,000 of local money, or a total increase in cost of the project of \$105,000.

Mr. SMITH. Thank you.

Any questions?

Mr. BALDWIN. I have one question.

You mentioned this is being modified because of the need for provision for fish and wildlife coverage in the structure.

I notice that the breakdown we have shows that this sum allocated for fish and wildlife is allocated half to the Federal Government and half to the local area. Is this according to regulation established by the Soil Conservation Service or is this according to the law? I am merely asking for information.

Mr. WETZEL. This is in accordance with policies established by the Secretary of Agriculture, which is that if the local people are willing to put up at least 50 percent of the construction cost for fish and wildlife capacity, the benefits to be derived therefrom would be considered to be the equivalent of the cost.

Mr. BALDWIN. Thank you.

(The work plan follows:)

BIG SANDY CREEK SUPPLEMENTAL WATERSHED WORK PLAN, COLORADO

Size and location.—219,000 acres in Elbert and El Paso Counties.

Sponsors.—Big Sandy Soil Conservation District, Colorado State Soil Conservation Board, Colorado Game and Fish Department.

Purposes.—Watershed protection, flood prevention, fish and wildlife development.

Principal measures.—Soil conservation practices on farms and ranches; and structural measures consisting of 13 floodwater retarding structures and 1 multiple-purpose storage structure.

Annual benefits

Flood prevention to crops and pasture.....	\$24, 207
Flood prevention to agricultural property.....	2, 751
Flood prevention to nonagricultural property.....	13, 674
Reduced indirect damages.....	2, 269
Total.....	42, 901

Project costs

	Public Law 566 funds		Other funds		Total dollars
	Dollars	Per-cent	Dollars	Per-cent	
Land treatment measures.....	49, 000	12	370, 716	88	419, 716
Structural measures:					
Flood prevention.....	773, 972	96	30, 749	4	804, 722
Fish and wildlife.....	48, 401	50	48, 402	50	96, 803
Subtotal.....	822, 374	91	1 79, 151	9	901, 525
Total.....	871, 374	66	449, 867	34	1, 321, 241

¹ Consisting of:

Construction cost.....	\$44, 002
Administration of contract.....	7, 300
Land, easements, and rights-of-way.....	27, 849

Benefit-cost ratio.—1.3 to 1.

Mr. SMITH. The next project is South River watershed, Georgia, and we have our colleague, Mr. Stephens, with us.

STATEMENT OF HON. ROBERT G. STEPHENS, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Mr. STEPHENS. Mr. Chairman and gentlemen, I appreciate the opportunity of appearing before this committee to speak in behalf of approval of this project. This project will involve approximately 60,000 acres of land. The cost will be, total, a little over a million and a half dollars. It will be about \$1,660,000 in round figures; \$853,000 of that is under Public Law 566 funds, and the balance, which is practically 50 percent of it, is from other sources.

The project, naturally, has the support of the local communities, and I feel that it is highly important not only as a soil conservation measure, but for the area covered it is also highly important as a population conservation measure.

There are three counties involved—Clark County, Oglethorp County, and Madison County. From the names you can recognize that

they are old and established communities. Ogelthorpe, as you know, founded the colony of Georgia. James Madison was one of our greatest heroes in the early period of our life, and Elijah Clark was prominent in the American Revolution in the South.

There are approximately a thousand family-type farms in this area that need the assistance of the soil conservation program and to improve their soil conservation measures.

In Clark County is the home of the University of Georgia and the State agricultural college. Madison County is the home of—the original home of—Mr. Long, who is the discoverer of anesthetic medicine.

And, Mr. Chairman, these communities were created prior to the Louisiana Purchase when Georgia made claims under its charter from the Atlantic Ocean to the South Seas, and I would like to see this measure approved because of the fact that it would be a population conservation measure and as an educational measure, too, for the people who are now there.

And I appreciate the opportunity very much of appearing and cannot too strongly urge you to approve the proposition.

I could go into detail, but I wonder if as a part of the record it would be proper that the field examination report of this be put in the record of the hearings. That would give you full details as to the area and as to the local citizenry and their——

Mr. SMITH. The report will be held as an exhibit without objection. (The document follows:)

FIELD EXAMINATION REPORT OF SOUTH FORK BROAD RIVER WATERSHED LOCATED
IN CLARKE, MADISON, AND OGLETHORPE COUNTIES, GA.

I. WATERSHED CHARACTERISTICS

The South Fork Broad River watershed comprises an area of approximately 115,000 acres and is located in the northeastern portion of Clarke County, the south and southeastern portion of Madison County, and the northern portion of Oglethorpe County.

The watershed application includes all of the area drained by the South Fork Broad River with the exception of the South River watershed. It includes the Big Clouds Creek watershed located in Oglethorpe County, Ga. (drainage area, 30,000 acres), and the Fork Creek watershed located in Madison County, Ga. (drainage area, 12,000 acres). Applications on these watersheds were submitted in October 1954 and December 1954, respectively.

The headwaters of the southernmost portion of the watershed are within the town of Crawford, Ga.; the headwaters of the westernmost portion are approximately 1 mile west of Hull, Ga.; and the headwaters of the northernmost portion are approximately 3.5 miles north of Comer, Ga. South Fork Broad River flows into the Broad River approximately 3 miles east of Carlton, Ga. The town of Carlton and portions of the towns of Crawford, Winterville, Hull, Colbert, and Comer are in the watershed. The watershed is in the Piedmont Province and has an average annual rainfall of approximately 50 inches.

The hydrologic condition and commercial production condition of the woodland in the watershed is from fair to poor.

Approximately 50 percent of the watershed is in woods, 12 percent in pasture, 33 percent in cultivation, and 5 percent idle and in miscellaneous uses. Approximately 9 percent of the entire watershed is in the flood plain, with approximately 80 percent of this area in woods and brush, 17 percent in pasture, and 3 percent in cultivation.

II. OWNERSHIP AND TENURE

There are approximately 1,000 farms in the watershed, 95 percent of which are owner-operated. Approximately 3,000 acres of the watershed are owned or leased by pulpwood companies, with less than 100 acres of flood-plain lands that are controlled by these companies.

III. WATERSHED PROBLEMS

- (a) Floodwater and sediment damage.
- (b) Sheet erosion on open upland. Scour damage of flood plain.
- (c) Excessive erosion on a number of scattered small critical areas including roadbanks.
- (d) Channel fill is excessive in many of the stream channels.
- (e) The situation is not acute but there is a need for storing additional water for municipal purposes of the several small towns within the watershed.

IV. PROJECT OBJECTIVES

- (a) Reduction of floodwater and sediment damages.
- (b) Reduction in erosion damages presently occurring in the open upland and critical erosion areas, and reduction of scour damage occurring in the flood plain.
- (c) Provide outlets for farm drainage systems and to increase stream channel capacities.
- (d) Restore flood-plain lands to former productive use.
- (e) Provide a more reliable supply of water for the towns in the watershed.

V. EFFECTS OF PROJECT OUTSIDE OF WATERSHED

There will be no measurable effects of the project outside of the watershed.

VI. OTHER PROGRAMS

There is an organized fire protection program effectively functioning throughout the watershed. The entire watershed is a part of organized soil conservation districts and ASC assistance is also available to all farmers within the watershed. Approximately 14,058 acres have gone into the soil bank within the past few years. Approximately 6,745 acres of this amount have been established in perennial legumes and 7,313 acres in trees.

VII. EXCLUDED AREAS

None.

VIII. INTEREST OF LOCAL PEOPLE

A watershed association has been formed for conducting educational work relating to watershed problems and objectives. Civic clubs and the Farm Bureau within the area are actively assisting the association in this work.

IX

The local press, Farm Bureau chapter, and civic clubs are actively encouraging the application of soil conservation measures. The local people are confident that they can secure the easements and rights-of-way that will be necessary.

The project is sponsored by the Broad River Soil Conservation District, the Oconee River Soil Conservation District, the county government of Oglethorpe County, and the county government of Madison County.

X. ESTIMATED TIME TO COMPLETE PROJECT

Five years.

XI. GROUP ACTION

Several groups have worked together in the past on projects for the development of the area. For example: A community group in the watershed has pooled their resources in order to establish a tool and die manufacturing enterprise. The Comer Lions Club annually sponsors a county fair. Members of the club put on the entire fair including a carnival.

XII. SUMMARY STATEMENT

The watershed is physically adapted to a retardation-type, flood-prevention program. The local landowners contacted indicate that easements and rights-of-way can be obtained.

There are approximately 1,000 farms in the watershed, approximately 650 of which are cooperators of the Oconee River Soil Conservation District or the Broad River Soil Conservation District. About 95 percent of the farms are owner-operated. The landowners indicate that a more intensive use would be made of the flood-plain lands if they were protected from flooding. They indicate that the principal crops that would be grown in the flood plain are corn, pasture, and some truck crops.

The capability classes of the flood-plain soils are predominately IIw and IIIw. The entire watershed is under organized fire protection and the present annual burn rate is very low.

It is estimated that approximately 71 percent of the open upland has adequate soil conservation measures established.

W. S. Lowe, farmer and supervisor, Comer, Ga.

Herbert Wilcox, reporter, Elberton, Ga.

Horace G. Collier, Jr., district forester, Georgia Forestry Commission, Washington, Ga.

Carl F. Hoover, forester, U.S. Forest Service, Atlanta, Ga.

Ralph D. Branan, work unit conservationist, Soil Conservation Service, Danielsville, Ga.

Theron L. Devereaux, Georgia Forestry Commission, Washington, Ga.

Gerry E. Bowen, farmer, Carlton, Ga.

L. A. Smith, farmer, Comer, Ga.

P. S. Shackelford, farmer and supervisor, Lexington, Ga.

John T. Conger, Jr., work unit conservationist. Soil Conservation Service, Lexington, Ga.

E. H. Tenson, farmer, Arnoldsville, Ga.

P. N. Betts, farmer, Arnoldsville, Ga.

Joe Gorman, farmer, Arnoldsville, Ga.

Earl Harris, farmer, Lexington, Ga.

J. Luther Harris, commissioner, Oglethorpe County, Lexington, Ga.

Ralph Whitehead, supervisor, Comer, Ga.

G. D. Mitchell, farmer, Colbert, Ga.

Ed Carter, county agent, Lexington, Ga.

Joseph A. Carey, conservation aid, Soil Conservation Service, Lexington, Ga.

R. L. Dolvin, area conservationist, Soil Conservation Service, Elberton, Ga.

Hugh Clark, Soil Conservation Service, Athens, Ga.

Mr. SCHWENGEL. Mr. Chairman, I would like to say that the gentleman before us is the grandson of John Stephens, of Georgia, and John Stephens was the nephew of Alexander Hamilton Stephens, and Alexander Hamilton Stephens was Vice President at one time and was also a Member of Congress who served with Abraham Lincoln, and because of that personal relationship Lincoln freed this gentleman's grandfather in exchange for a prisoner of equal rank during the Civil War. It would be said almost, I think, and proved, that this gentleman, and a distinguished gentleman, is in Congress today because of the generous act of Abraham Lincoln during the Civil War. Furthermore, I should observe that Abraham Lincoln was very much for internal improvement projects, and I am sure he would endorse this project, too.

Mr. STEPHENS. I thank you for those remarks, and I might say this is the same district that Alexander Stephens represented in the Congress of the United States before the war and after the war, but I don't want you Republican gentlemen to hold it against me that I am a descendant nephew of the Vice President of the Confederacy.

Thank you very much.

Mr. SMITH. Thank you, Mr. Stephens, for your fine statement, and I am sure that Mr. Schwengel is chief voice for Abraham Lincoln in the Congress and with the help of Mr. Lincoln maybe we will be able to put this over.

Mr. Wetzel?

Mr. WETZEL. The South River watershed project is sponsored by the Broad River Soil Conservation District of the government of Madison County.

The South River is a tributary to Broad River which, in turn, is a tributary to the Savannah River. It covers an area of about 60,000 acres. The principal problem is the serious flooding of the agricultural lands within the flood plain areas as indicated in yellow, plus the swamping out of a good bit of drainage ditches in the lower portion of the watershed due to the type of soil that is found in that section of the watershed.

In one flood in April 1936, about 4,800 acres of land in the watershed were inundated and the crops lost.

The land ownership in the watershed is 100 percent private. There are 609 farms within the watershed which average about 200 acres per farm.

The project as proposed, in addition to the land measure on the watershed lands, will include eight floodwater retarding structures, the largest of which will be 5,200 acre-feet, and the total capacity, total floodwater retarding capacity, of the structure would be 14,000 acre-feet.

There is 12 miles of channel improvement proposed in the lower section of the watershed in order to provide adequate drainage outlets for the farm drainage ditches.

The cost, the total cost, of the project is \$1,662,000, of which the local people will put up 49 percent, or \$890,000, and the Federal Government will provide 51 percent, or \$854,000. The benefit-cost ratio is 1.6 to 1, and the project—the Georgia Highway Department has already agreed to install about 21 miles of roadside erosion control on the State and U.S. highways located within the watershed which have been very seriously eroded in the past.

The sponsors have indicated that they do not desire to apply for a loan under Public Law 566 and that they will have adequate funds with which to carry out their portion of the project.

Mr. ROBISON. Point of information.

Do I understand you to say with respect to local funds, that these people do not intend to borrow from the Federal Government? Is that right?

Mr. WETZEL. That's right.

Mr. ROBISON. I didn't know that there was a loan program under Public Law 566. Is there?

Mr. WETZEL. There is a loan program authorized under Public Law 566 whereby the local sponsors may borrow money, repayable in 50 years. The interest rate is about 2.6 percent at the present time.

Mr. ROBISON. Does that interest rate go up and down with the cost of money to the Government?

Mr. STEPHENS. That's right, and there is a formula based on the nonrecallable securities of the Federal Government.

Mr. ROBISON. And in instances where the local sources do not take recourse to this loan program, where do they get their funds? From a separate local bond issue?

Mr. STEPHENS. That's right.

Now in most of these projects there will be a local organization that has tax authority and the funds will be raised by general taxation over the watershed area. In a good many cases there will be a county government that will be a cosponsor of the project. They will draw on county funds to raise their money. In about seven States at the present time the State government has set up an appropriation which is available to the local organization to finance their share of the cost, some to come from a variety of places, and a very small percentage of the projects up to this time have taken advantage of the loan provision of the act.

Mr. ROBISON. Thank you.

Mr. BALDWIN. Mr. Wetzel, as far as the funds that would be available for a loan being Federal funds, are those funds incorporated in the Soil Conservation Service appropriation request each year, or are they in some other section of our Federal budget?

Mr. WETZEL. They are incorporated in the watershed protection item which is justified by the Soil Conservation Service. Now as soon as the funds are appropriated—they are actually earmarked in the budget, Mr. Baldwin, as to the amount of total watershed protection item that will be available for loans. As soon as the funds are appropriated, that amount is transferred to the Farmers Home Administration, which administers the loan provisions of the act.

So the answer to your question is "Yes," those funds are in the total watershed protection item.

Mr. BALDWIN. How do you determine each year how much it is going to cost? Do you estimate from the projects coming along about how many requests you are going to get and therefore use those estimates in formulating your budget requests?

Mr. WETZEL. That's right, sir.

Now we have not had too much experience on which to base those estimates. We have put what we felt was adequate money in the loan provision to cover the requests, the applications which it was anticipated would be received during the next year. Now up until this year the loan carryover has reverted to the construction fund at the end of the fiscal year, and it has been substantial.

We have also had the authority to put construction money into the loan funds if that becomes necessary. It has not become necessary up to the present time.

Starting this year the loan fund will carry over as loan funds from year to year.

Mr. BALDWIN. Why did this change occur? Is that a provision in the appropriation bill?

Mr. WETZEL. Not in the appropriation bill; it was a provision which the Budget Bureau requested be put into our appropriation procedures.

Mr. BALDWIN. In other words, that is established, then, purely by administrative regulation?

Mr. WETZEL. That's right, sir.

Mr. BALDWIN. Under the old procedure when these carryover funds were available, was that purely by administrative decision——

Mr. WETZEL. It was purely by administrative decision.

Mr. BALDWIN. I see.

Thank you.

Mr. SMITH. Thank you, Mr. Wetzel.

(South River watershed, work plan follows:)

SOUTH RIVER WATERSHED WORK PLAN, GEORGIA

Size and location.—59,875 acres in Clarke and Madison Counties.

Sponsors.—Broad River Soil Conservation District, county government of Madison County.

Purposes.—Watershed protection and flood prevention.

Principal measures.—Soil conservation practices on farms; controlling roadside erosion by vegetation; and structural measures consisting of eight flood-water retarding structures and about 19 miles of channel improvement.

Annual benefits

Flood prevention to crops and pasture.....	\$57, 123
Flood prevention to nonagricultural property.....	999
Reduced indirect damages.....	929
Roadside erosion.....	2, 370
Total.....	61, 421

Project costs

	Public Law 566 funds		Other funds		Total dollars
	Dollars	Per-cent	Dollars	Per-cent	
Land treatment measures.....	116, 650	14	719, 390	86	836, 040
Structural measures, flood prevention.....	737, 053	89	1 89, 605	11	826, 658
Total.....	853, 703	51	808, 995	49	1, 662, 698

¹ Consisting of:

Administration of contracts.....	\$4, 200
Land, easements, and rights-of-way.....	85, 405

Benefit-cost ratio.—1.6 to 1.

Mr. SMITH. Our next project is the Middle-South Branch Forest River watershed, North Dakota, and we have our colleague, Mr. Nygaard.

STATEMENT OF HON. HJALMAR C. NYGAARD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH DAKOTA

Mr. NYGAARD. Mr. Chairman and members of the committee, it's a pleasure to appear before you this morning. This is my first opportunity to appear before the Public Works Committee of the House since my arriving here the 1st of January. And it's a pleasure also for me to appear before you in behalf of the Middle-South Branch Forest River work plan, located in the northeast corner of North Dakota.

The material before you well describes the plan, and the purpose of the plan, and the various detailed features that are concerned with it.

I might state in opening that I have material here that indicates that these soil conservation districts in the various counties concerned, which are Nelson, Grand Forks, and Walsh Counties in North Dakota, have been approved, and they are very highly in favor of the watershed project.

One portion of the project, which will later be shown on the map, covers an area which is very gently rolling, and because of that it is necessary that three structures be built there to provide for soil erosion in the streams.

The yellow area that you see there is a very, very level area, and it's level to the extent that in the cases of heavy snowfalls and quick thaws in the spring of the year, the water from the snow thawing will move across the country in an entire body. There aren't ravines or valleys, and its going to have to require drainage in these areas in order to divert this from the mass of water just moving across the land. There would be less than 6 inches of change in the elevation in as much as 2 miles in many cases, so you see it does cause a great deal of erosion.

There are times that I have seen this body of water move through an entire town and, of course, cause very, very serious damage, and it has on various occasions isolated farms for several days. And it's all because of the extremely level area of land.

This is very fertile land. It's in the Red River Valley of North Dakota, which is quite commonly known and quite well accepted as being some of the most highly productive land in this country.

The cost ratio, as indicated by the chart before you is very favorable. The money will be provided by the—non-Federal moneys will be provided by the watershed organization which our—which are permitted to levy taxes to cover those against the various properties, involving about 219,000 acres of land, and it's all very heavily concentrated agricultural land, and consequently there wouldn't be any of that—that will not be able to share its burden in paying the cost of this.

In the interest of time I won't go into any more detail on this unless there should be some questions of the committee.

Mr. SMITH. Thank you, Mr. Nygaard.

Your colleague, Mr. Short, has already expressed an interest in this and has talked to me about it.

Mr. Wetzel, would you give us a brief résumé?

Mr. WETZEL. I might say at the outset that the watershed adjacent or lying in this portion of the Middle-South Branch of the Forest River watershed is the north branch for the river watershed for which there is a completed plan, and that was approved by the Agriculture Committee on April 8, 1960. A similar program is now being installed in this particular area.

This project covers 220,000 acres and is sponsored by the soil conservation district in the four affected counties, and the Walsh County Water Conservation and Flood Control District, which is a local organization organized under the State watershed legislation.

The principal flood damages suffered in the watershed are a little bit different from those in normal watersheds in that they occur due to snow melting in the spring of the year. The snow will collect on the higher areas here in the upper watershed, and when spring arrives

it gushes into these streams and causes very extensive damage throughout the—particularly the benefit areas, which is shown in yellow on the map.

In addition there have been several rather serious storms caused by direct rainfall. The little town of Forest River also has received serious damage, and particularly to the roads, bridges, and railroads within the town. The serious flooding from the snowmelt has occurred in 14 of the past 20 years.

The project as proposed by the local people will include two floodwater retarding structures, the largest of which is 5,740 acre-feet and one multiple-purpose structure in which fish and wildlife capacity will be incorporated along with the flood prevention capacity.

The area that will be benefited is about 24,000 acres. The cost of the project, the total project costs, are \$1,724,000. The local people will provide 33 percent, \$576,000 and Public Law 566 funds will provide 67 percent, or \$1,149,000. The cost-benefit ratio is 1.65 to 1, and the State fish and game commission will provide the necessary cost sharing and necessary 50 percent of the cost sharing on this one multiple-purpose fish and wildlife structure.

Mr. SMITH. Thank you, Mr. Wetzel.

Mr. BALDWIN. I have one question, Mr. Chairman.

This shows on fish and wildlife the Federal contribution is \$12,000 and local, \$34,000. Now the Colorado project was 50-50. Why is there a differentiation in the allocation?

Mr. WETZEL. Under the law, Mr. Baldwin, the local people must provide land easements and rights-of-way. They have no choice. In this particular case the cost of land easements and rights-of-way substantially exceeded 50 percent of the cost of adding the fish and wildlife capacity. The figure that is shown here for fish and wildlife covers only the cost of land easements and rights-of-way, and additional construction cost will be borne entirely out of Public Law 566 funds. So the 50 percent applies unless the cost of land easements and rights-of-way exceed 50 percent.

Mr. SMITH. Thank you.

(Middle-South Branch Forest River watershed work plan follows:)

MIDDLE-SOUTH BRANCH FOREST RIVER WATERSHED WORK PLAN, NORTH DAKOTA

Site and location.—219,520 acres in Grand Forks, and Walsh Counties.

Sponsors.—Nelson County Soil Conservation District, Three Rivers Soil Conservation District, Walsh County Soil Conservation District, Western Grand Forks County Soil Conservation District, Eastern Grand Forks County Soil Conservation District, and Walsh County Water Conservation and Flood Control District.

Purposes.—Watershed protection, flood prevention, fish and wildlife development.

Principal measures.—Soil conservation practices on farms; and structural measures consisting of two floodwater retarding structures, one multiple-purpose storage structure and 3.65 miles of floodway.

Annual benefits

Flood prevention to crops and pasture-----	\$58,475
Flood prevention to agricultural property-----	5,847
Flood prevention to nonagricultural property-----	19,455
Reduced indirect damages-----	8,378
Total-----	92,155

Project costs

	Public Law 566 funds		Other funds		Total dollars
	Dollars	Per-cent	Dollars	Per-cent	
Land treatment measures.....	71,600	19	299,062	81	370,662
Structural measures:					
Flood prevention.....	1,064,039	81	243,135	19	1,307,174
Fish and wildlife.....	12,869	27	34,012	73	46,881
Subtotal.....	1,076,908	80	277,147	20	1,354,055
Total.....	1,148,508	67	576,209	33	1,724,717

¹ Consisting of:

Construction cost.....	\$11,643
Administration of contract.....	2,500
Facility relocation.....	202,429
Land, easements, and rights-of-way.....	60,575

Benefit-cost ratio.—1.65 to 1.

Mr. SMITH. The next project we have is Twin Parks watershed, Wisconsin.

We have with us our colleague, Mr. Thomson, who has been a very persistent and persuasive advocate of this project to get our committee schedule set up.

**STATEMENT OF HON. VERNON W. THOMSON, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF WISCONSIN**

Mr. THOMSON. Mr. Chairman and members of the committee, I am very pleased to have the opportunity to appear in support of the Twin Parks watershed project, and I am very grateful to this committee for the excellent work that they are doing in this entire field.

My particular congressional district is intensely interested in this problem because the entire area is in the southwestern part of the State has a considerable number of hills and bluffs and an unusual amount of erosion.

This particular project lies along the south bank of the Wisconsin River. The Wisconsin River flows from the Michigan border generally south until it strikes the hills in this area of Wisconsin and then turns west to the Mississippi River.

The Twin Parks project is generally about 14 miles in length and 7 miles deep, running south from the Wisconsin River up the bluffs lying south of the Wisconsin River and covers an area of 123,000 square miles.

That 7 miles which is the south boundary of the project is on a plateau or crest of a ridge, and from that point to the river, a distance of between 6 and 7 miles, there is a drop of 500 feet, and this water cascades down that precipitous incline and does considerable damage.

I might say that the first project which was the Mill Creek watershed project in my home county of Richland, that out of 29 projects authorized in the State of Wisconsin up to this year, 19 of those projects exist in the Third Congressional District which I have the honor to represent.

And there were some discussions about the participation of farm groups in that program. Well, I think that the fact that two-thirds of the projects of the entire State lie in my district indicates a need for the projects, and demonstrates the determination and enthusiasm of the people, the farm families who reside there, to see that this program is carried out. And they are very conscious of the need and the benefits that arise from it.

This morning Mr. Tom McCutcheon, who is a farmer at Arena, called me to see if things were going all right on this project. He is tremendously interested in expediting the completion of this project.

The cost-benefit ratios are well within reason. They are 1.32 to 1.

There will be in this project 10 floodwater retarding structures and a mile and a half of channel improvement in addition to the soil conservation practices to be carried on by the farmers themselves in the district.

Local capital will provide \$747,000, and Public Law 566 will provide \$778,000 of the entire cost.

There is a little fish and wildlife money in there. The State created, by damming one of the streams involved, and made a park which they named Governor Dodge's State Park. It has proved to be an immensely attractive place in an area where there is no water for recreation. The Wisconsin River is a swift and shifting stream that is tremendously hazardous for swimming and for boating. And so one of the projects here, or perhaps two, they are going to raise the height of one of the dams, and create a fish and wildlife project on the other one. But its principal purpose, of course, is the prevention of floods and conservation of soil in this substantial sized area.

Its sponsor is the county of Iowa, because in Wisconsin we have created a soil conservation district in each county of the State, and I might say that we have also provided for those soil conservation associations the power of eminent domain in the State of Wisconsin to expedite the attainment of the objectives of this project.

The law, which I vigorously supported some years ago—and the need for which, I might point out, arose in my own county—the law has never been used, but it has had a very salutary effect upon the speed with which sites for dams may be obtained, and our program is moving ahead rapidly in that area and I am here to assert my enthusiastic support not only of the Twin Parks project, but the entire program which this Congress has initiated, and to ask this committee to expendite this particular program.

Mr. SMITH. Thank you very much, Mr. Thomson.

Mr. Wetzel?

Mr. EDMONDSON. I would like to suggest on the record here that if any parks are built in this area, one ought to be named the Governor Thomson Park, because I think our able colleague has certainly earned the honor.

Mr. KING. Was Lincoln ever out there, Governor?

Mr. THOMSON. Of course. In the Blackhawk War he came out with the——

Mr. KING. You don't have to go any further, Governor.

Mr. SCHWENGEL. It might be appropriate also to observe that Lincoln's principal agricultural speech was made in Wisconsin at the State Fair.

Mr. SMITH. Mr. Wetzel, would you give us a very brief report on this?

Mr. WETZEL. I might point out, as the Governor indicated, that the first project in Wisconsin was Mill Creek, in his district. This is another Mill Creek project. The stream is Mill Creek. However, the local people decided—There are two currently approved Mill Creek projects, and the local people felt they didn't want to be the third Mill Creek, so they have named the watershed Twin Parks due to the fact that the Governor Dodge State Park and another State park are located within the watershed.

I had the pleasure of going over this watershed several months ago and we met the local people. They are now considering renaming Mill Creek to Twin Parks Creek, to match up with their decision on the watershed work plan.

This project is primarily for the protection of flooding of the agricultural lands. Almost 27 percent of the flood plain is almost unusable for agriculture purposes due to the frequent flooding that takes place on the watershed.

The watershed is entirely in private ownership, with the exception of the two State parks. There are about 340 farms in the watershed, which average about 207 acres.

The project as proposed by the local people, in addition to the land treatment measure on the watershed lands, which, incidentally, are a very high percentage of the land treatment measure, are already installed on the land—the watershed lands. They are proposing nine floodwater retarding structures, plus one multiple-purpose fish and wildlife structure to be located adjacent to Governor Dodge State Park. The largest structure is 5,500 acre-feet, and the total capacity of the structures is 9,600 acre-feet.

In addition, they are proposing about 4½ miles of channel improvement in the lower portion of the watershed where the channel is now clogged up with sediment and debris and is causing the flooding of the lower portion of the watershed.

The program as proposed will reduce the damages, the flood damages to the watershed by about 70 percent and 70 percent of the flood plain will have protection from 2-year flood events, and 34 percent will have protection from 50-year flood events.

The total cost of the project is \$1,185,000, of which local people will put up \$407,000, and Public Law 566 funds will provide \$778,000, or 66 percent.

Benefit-cost ratio is 1.32 to 1, and it's proposed to install the project over a 5-year installation period.

The Iowa county board, the county government, has agreed to provide \$100,000 over the installation period to assist in obtaining these land easements and rights-of-way, and to assist in financing the local construction costs.

Mr. SMITH. Thank you, Mr. Wetzel.

(Twin Park watershed work plan follows:)

TWIN PARKS WATERSHED WORK PLAN, WISCONSIN

Size and location.—78,620 acres in Iowa County.

Sponsors.—Iowa County Soil Conservation District.

Purposes.—Watershed protection, flood prevention, fish and wildlife development.

Principal measures.—Soil conservation practices on farms; and structural measures consisting of 10 floodwater retarding structures and 4.57 miles of channel improvement.

Annual benefits

Flood prevention to crops and pasture.....	\$22, 404
Flood prevention to agricultural property.....	4, 020
Flood prevention to nonagricultural property.....	11, 156
Reduced indirect damages.....	3, 790
Total.....	41, 370

Project costs

	Public Law 566 funds		Other funds		Total dollars
	Dollars	Per-cent	Dollars	Per-cent	
Land-treatment measures.....	39, 886	16	208, 408	84	248, 294
Structural measures:					
Flood prevention.....	668, 018	84	128, 247	16	796, 265
Fish and wildlife.....	70, 421	50	70, 421	50	140, 842
Subtotal.....	738, 439	79	¹ 198, 668	21	937, 107
Total.....	778, 325	66	407, 076	34	1, 185, 401

¹ Consisting of:

Construction cost.....	\$49, 758
Administration of contracts.....	5, 255
Land, easements, and rights-of-way.....	143, 655

Benefit-cost ratio.—1.32 to 1.

Mr. SMITH. We will now have a brief résumé of the Beaver Creek watershed project in Oregon. Mr. Norblad who is interested in this has prepared a statement. He is not able to be with us because of a conflict in committee meetings.

Mr. EDMONDSON. I ask that his statement be made a part of the record as though read.

Mr. SMITH. Without objection, it is so ordered.

STATEMENT OF HON. WALTER NORBLAD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Mr. Chairman, I appreciate this opportunity you have afforded me to testify in behalf of the Beaver Creek watershed project, Marion County, Oreg.

I can assure the committee that the Beaver Creek watershed project is a vitally needed and meritorious one. Local interests, in co-operation with our Federal agencies, have worked very hard in developing an excellent watershed work plan, which I have made available to your committee.

The primary objective of this project is to provide a vitally needed, dependable, water supply and a water distribution system for the irrigation of 3,500 acres of land now used for dry land crop production and the protection of 1,000 acres of these lands from damaging

floods. In addition, benefits will accrue to fish and wildlife development.

I have reviewed most carefully the watershed work plan for the Beaver Creek watershed and am confident your committee will agree that it demonstrates clearly and conclusively the great need for and the economic benefits that will derive from this project. The benefit-cost ratio is 2.5 to 1.

I can assure the committee from personal knowledge of the area of the great need for development of this project, which is a very sound business proposition. The project will substantially enhance the economy of the area.

I respectfully urge that your committee approve the Beaver Creek watershed project.

Mr. WETZEL. I will ask Mr. Swigart to give the résumé on this.

Mr. SWIGART. Beaver Creek is located in Marion County in northwest Oregon. It is a tributary of Mill Creek, which flows into the Willamette River and then into the Columbia River.

The area is 19,940 acres. The project is sponsored by the Santiam Soil Conservation District and the Beaver Creek Water Control District.

The project has three purposes: irrigation, flood prevention, and fish and wildlife.

The area in the cross lap here is now subject to flood damage of serious proportions. It amounts to an area of about a thousand acres. The balance of the area, shown here in yellow, will benefit from the project from irrigation.

The average annual rainfall at the watershed is 45 inches. About 15 percent of that occurs in each of the months of November, December, and January. Only 1 percent occurs in July and August. Seventy-one percent of the runoff of 27 inches occurs November to March, and only 29 percent in the early spring and during the growing season.

The lack of a dependable supply of irrigation water is a major problem. About 600 acres in the watershed are now irrigated from wells and small farm ponds, and there is a lack of dependable water supply during the major part of the growing season. With the additional water supply, it will be possible to bring into production irrigated pasture land. Cropland now includes pasture, grass seed, grains, vegetables, and orchards, which is about 68 percent of the area.

There will be 3,500 acres as a result of the project.

The one structure will contain 5,850 acre-feet of storage—200 acre-feet for fish and wildlife and the balance for flood water detention and irrigation. In addition, there are 6.2 miles of stream channel improvement on the protected area now being flooded annually, and 21.5 miles of irrigation canals, and three pumping systems. Twenty-four hundred acres will be served by North Beaver Creek Reservoir and about 1,100 acres by diversion from Mill Creek at this point in the southern part of the watershed.

The benefits will be predominantly to cropland; 92 percent of the benefit will accrue to irrigation and 8 percent to reduction of flood damage to crops and pasture.

The total cost of the project is \$2,046,800, of which \$832,400 will be contributed from Public Law 566 funds, and other funds will contribute \$1,214,000. The other costs consist of distribution of \$620,600 to construction, \$11,100 for administration of contract, and \$129,100 for land easements and rights-of-way.

The benefit-cost ratio is 2.5 to 1, and it is contemplated that the project will be installed within a period of 5 years.

The Beaver Creek Water Control District assumes the responsibility for structural installation and operation and maintenance. That district has powers of taxation and eminent domain, and will assure all land, easement, and rights-of-way, administer contracts, and provide local construction funds through agreement with Santiam Water Control District.

The Oregon State Game Commission will provide local funds for fish and wildlife measures.

Operation and maintenance will amount to \$22,900, which will be borne by the district. It is intended to obtain a loan under the loan provisions of the act.

Mr. SMITH. Thank you very much.

Mr. BALDWIN. I have one question.

I notice that 90 percent of the benefits apply to irrigation and that is also in 1 of the 17 reclamation States. Why would the project have come to through the Soil Conservation Service as compared to the Bureau of Reclamation?

Mr. SWIGART. Normally that is cleared in the field prior to undertaking a project under one authority or the other, and current Executive order requires that that kind of consideration be given at the field level, prior to undertaking a project under small reclamation projects and under Public Law 566.

Mr. BALDWIN. But you haven't told me why.

Mr. SWIGART. Well, I presume in the field the representatives of the Bureau of Reclamation and representatives of the Soil Conservation Service and local organizations came to an agreement that the proper way under which to carry on this project was under Public Law 566.

Mr. BALDWIN. Thank you.

Mr. WETZEL. I might point out, Mr. Baldwin, that another factor involved in that is that the assistance from the Bureau of Reclamation under the Small Projects Act would have been only for the reservoirs. Since this project was a watershed type project, including flood prevention and treatment of watershed lands and providing for an additional assistance for the proper use of irrigated water, it was determined that this particular project should logically be carried out under 566 rather than under the Small Projects Act.

Mr. BALDWIN. Do I understand then that no Bureau of Reclamation project, no matter how big, could have any flood control benefits in it?

Mr. WETZEL. It can have flood control benefits, yes, but the fact that part of the flood control job is done on this project by the use of hand treatment measures on the watershed lands, which of course are not part of the Bureau of Reclamation projects.

Mr. BALDWIN. Thank you.

Mr. SMITH. Thank you very much.

(The Beaver Creek watershed work plan follows:)

BEAVER CREEK WATERSHED WORK PLAN, OREGON

Size and location.—19,940 acres in Marion County.

Sponsors.—Santiam Soil Conservation District, Silver Creek Soil Conservation District, Beaver Creek Water Control District.

Purposes.—Watershed protection, flood prevention, irrigation, and fish and wildlife development.

Principal measures.—Soil conservation practices on farms; and structural measures consisting of 6.2 miles of channel improvement, one multiple-purpose storage reservoir, 21.5 miles of irrigation canals, and three irrigation pumping plants.

Annual benefits

Flood prevention to crops and pasture.....	\$16, 200
Flood prevention to nonagricultural property.....	380
Reduced indirect damages.....	445
Irrigation	180, 765
Total	198, 125

Project costs

	Public Law 566 funds		Other funds		Total dollars
	Dollars	Per-cent	Dollars	Per-cent	
Land treatment measures.....	30, 100	6	453, 600	94	483, 700
Structural measures:					
Flood prevention.....	191, 200	92	16, 800	8	208, 000
Irrigation.....	597, 600	45	730, 500	55	1, 328, 100
Fish and wildlife.....	13, 500	50	13, 500	50	27, 000
Subtotal.....	802, 300	51	1 760, 800	49	1, 563, 100
Total.....	832, 400	41	1, 214, 400	59	2, 046, 800

¹ Consisting of:
 Construction cost..... \$620, 600
 Administration of contracts..... 11, 100
 Land, easements, and rights-of-way..... 129, 100

Benefit-cost ratio.—2.5 to 1.

Watershed work plans, July 12, 1961

State	Watershed	Federal cost	Non-Federal cost	Total cost	Benefit-cost ratio	Drainage area	Storage reservoir	Total storage	Structural costs non-Federal	Total cost non-Federal
Colorado	Big Sandy Creek (supplemental)	\$871,374	\$449,867	\$1,321,241	1.3:1	219,000	14	10,586	9	34
Georgia	South River	853,703	808,995	1,662,698	1.6:1	59,875	8	14,270	11	49
Indiana	Middle Fork of Anderson River	1,004,480	563,490	1,567,970	1.2:1	69,400	6	10,065	14	36
North Dakota	Middle-South Branch, Forest River	1,148,508	576,209	1,724,717	1.6:1	219,520	3	14,630	20	33
Wisconsin	Twin Parks	778,325	407,076	1,185,401	1.3:1	78,620	10	9,592	21	34
	Total	4,656,390	2,805,637	7,462,027	-----	646,415	41	59,143	-----	-----

Watershed work plans, Aug. 1, 1961

State	Watershed	Federal cost	Non-Federal cost	Total cost	Benefit-cost ratio	Drainage area	Storage reservoir	Total storage	Structural costs non-Federal	Total cost non-Federal
Oregon	Beaver Creek	\$832,400	\$1,214,400	\$2,046,800	2.5:1	19,940	1	5,850	49	59
Oklahoma	Sallisaw Creek	4,552,584	2,379,631	6,932,215	1.5:1	185,280	42	81,461	20	34
	Total	5,384,984	3,594,031	8,979,015	-----	205,220	43	87,311	-----	-----

Mr. SMITH. We will now go into executive session. (Whereupon, the committee was adjourned to executive session.)

LEGISLATIVE HISTORY

Public Law 87-639

H. R. 3801

TABLE OF CONTENTS

Index and summary of H. R. 3801.	1
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INDEX AND SUMMARY OF H. R. 3801

Feb. 2, 1961 Rep. Smith (Miss.) introduced H. R. 3801 which was referred to House Public Works Committee. Print of bill as introduced.

Aug. 16, 1961 House subcommittee voted to report H. R. 3801.

Aug. 24, 1961 House committee voted to report H. R. 3801 with amendments.

Aug. 30, 1961 House committee reported H. R. 3801 with amendments. H. Report 1083. Print of bill and report.

Sept. 6, 1961 House passed over H. R. 3801 without prejudice.

Sept. 18, 1961 House passed H. R. 3801 as reported.

Sept. 19, 1961 H. R. 3801 was referred to Senate Public Works Committee. Print of bill as referred.

Aug. 23, 1962 Senate committee reported H. R. 3801 without amendment. S. Report No. 1910. Print of bill and report.

Aug. 25, 1962 Senate passed H. R. 3801 without amendment.

Sept. 5, 1962 Approved: Public Law 87-639.

DIGEST OF PUBLIC LAW 87-639

JOINT INVESTIGATIONS OF WATERSHED AREAS. Authorizes the Secretaries of Agriculture and the Army to make joint investigations and surveys on river basins and watershed areas and to prepare joint reports setting forth their recommendations for the installation of flood prevention works and works for development, utilization and disposal of water.

U.S. DEPT. OF AGRICULTURE

REPORT OF THE
COMMISSIONER OF THE GENERAL LAND OFFICE
IN RESPONSE TO A RESOLUTION OF THE HOUSE OF REPRESENTATIVES
PASSED MAY 10, 1890
RELATIVE TO THE LANDS BELONGING TO THE UNITED STATES
AND THE LANDS BELONGING TO THE SEVERAL STATES
AND THE LANDS BELONGING TO THE SEVERAL TERRITORIES
AND THE LANDS BELONGING TO THE SEVERAL COUNTIES
AND THE LANDS BELONGING TO THE SEVERAL TOWNS
AND THE LANDS BELONGING TO THE SEVERAL VILLAGES
AND THE LANDS BELONGING TO THE SEVERAL CITIES
AND THE LANDS BELONGING TO THE SEVERAL COUNTIES
AND THE LANDS BELONGING TO THE SEVERAL TOWNS
AND THE LANDS BELONGING TO THE SEVERAL VILLAGES
AND THE LANDS BELONGING TO THE SEVERAL CITIES

87TH CONGRESS
1ST SESSION

H. R. 3801

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1961

Mr. SMITH of Mississippi introduced the following bill; which was referred
to the Committee on Public Works

A BILL

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the Secretary of the Army and the Secretary of Agri-
- 4 culture, when authorized to do so by resolutions adopted by
- 5 the Committee on Public Works of the Senate or the Com-
- 6 mittee on Public Works of the House of Representatives, are

1 hereby authorized and directed to make joint investigations
2 and surveys in accordance with their existing authorities of
3 watershed areas in the United States, Puerto Rico, and the
4 Virgin Islands, and to prepare joint reports on such investi-
5 gations and surveys setting forth their recommendations for
6 the installation of the works of improvement needed for flood
7 prevention or the conservation, development, utilization, and
8 disposal of water, and for flood control and allied purposes.
9 Such joint reports shall be submitted to the Congress through
10 the President for adoption and authorization by the Congress
11 of the recommended works of improvement.

12 SEC. 2. When the Congress has authorized the projects
13 recommended in such joint reports, those recommended
14 works of improvement located on or along a stream or other
15 waterway having a drainage area above such improvements
16 of more than two hundred and fifty thousand acres, and those
17 recommended local protection works situated within the
18 boundaries of urban areas within drainage areas of two hun-
19 dred and fifty thousand acres or less which constitute a sub-
20 stantial part of the recommended works of improvement for
21 such drainage areas, shall be prosecuted by the Secretary of
22 the Army under the provisions of the Flood Control Act of
23 1936, as amended and supplemented; and those recom-
24 mended works of improvement located on or along a stream
25 or other waterway having a drainage area above such im-

1 provements of two hundred and fifty thousand acres or less,
2 except for such local protection works as are mentioned
3 above, shall be carried out by local organizations with assist-
4 ance from the Secretary of Agriculture under the provisions
5 of the Watershed Protection and Flood Prevention Act, as
6 amended: *Provided*, That such joint reports shall contain
7 an economic justification for the recommended system of
8 works of improvement, and no further economic justification
9 shall be required in connection with plans for such works of
10 improvement prepared under the provisions of the Flood
11 Control Act of 1936, as amended and supplemented, or the
12 Watershed Protection and Flood Prevention Act, as
13 amended.

14 SEC. 3. There are hereby authorized to be appropriated
15 such sums as may be necessary to carry out the purposes of
16 this Act, such sums to remain available until expended.

A BILL

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

By Mr. SMITH of Mississippi

FEBRUARY 2, 1961

Referred to the Committee on Public Works

August 16, 1961

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HOUSE

2. PERSONNEL. The Post Office and Civil Service Committee reported with amendments H. R. 6374, to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings (H. Rept. 964). p. 15016

The Post Office and Civil Service Committee reported with amendment S. 739, to modify the method of computing interest earnings of special Treasury issues held by the civil service retirement and disability fund and to provide for permanent indefinite appropriations for the fund. The bill was amended to include the language of H. R. 3059, to accord employees of ASC County Offices and Federal employees with past service in the County Offices the same rights with respect to credit for such past service as Federal employees presently have with respect to past service in the Federal service, for which deductions have not been made, to make creditable any such service earned from May 12, 1933, and to remove the present requirement, contained in the Pay Act of 1960, that ASC County Office employees with past service purchase credit for such service within a two-year period from July 10, 1960 (H. Rept. 961). p. 15016

13. INFORMATION; BIDS. The Government Operations Committee voted to report with amendments (but did not actually report) H. R. 8603, to provide for public information and publicity concerning instances where competitors submit identical bids to public agencies for the sale or purchase of supplies, equipment, or services. pp. D718-9

14. WATERSHEDS. The Subcommittee on Watershed Development of the Public Works Committee voted to report to the full committee H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention. p. D720

ITEMS IN APPENDIX

15. FOREIGN AID. Extension of remarks of Rep. Hansen inserting two articles, "Foreign Aid Costly but We Need It" and "Every Objection to Foreign Aid Can Be Answered." p. A6412
16. PEACE CORPS. Extension of remarks of Rep. Church inserting an article, "The Peace Corps -- Shaping a World Revolution." pp. A6411-2
17. FARM LABOR. Extension of remarks of Rep. Westland inserting an article, "Virginia Farmers Prefer Convicts," that "Tells how convicts must be used to harvest crops because unemployed refuse to do farmwork." pp. A6427-8
18. USDA EMPLOYMENT. Extension of remarks of Rep. Cooley inserting a table showing a breakdown of employment by this Department. pp. A6416-8

BILLS INTRODUCED

19. EDUCATION. H. R. 8732, by Rep. Bailey, to promote the security and welfare of the people of the United States by providing for a program to assist the several States in further developing their programs of general university extension education; to Education and Labor Committee.
- H. R. 8748, by Rep. Kearns, to extend for 2 additional years Public Laws 815 and 874, 81st Congress, and the National Defense Education Act of 1958; to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to Education and Labor Committee.

20. COTTON. H. R. 8740, by Rep. Gathings, to provide that imports of cotton products produced in any stage preceding the spinning into yarn shall be charged against the applicable import quota under section 22 of the Agricultural Adjustment Act, as amended; to Ways and Means Committee.
21. PERSONNEL. H. R. 8742, by Rep. Mathias, to modernize certain provisions of the Civil Service Retirement Act relating to immediate retirement; to Post Office and Civil Service Committee. Remarks of author. p. 15014
22. FOREIGN TRADE. H. Con. Res. 373, by Rep. Becker, and H. Con. Res. 374, by Rep. Blitch, declaring the sense of the Congress that no further reductions in tariffs be made during the life of the present Reciprocal Trade Agreements Act; to Ways and Means Committee.
23. PERSONNEL. H. R. 8601, by Rep. McCormack, to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that under certain conditions officers of the executive branch of the Federal Government appointed by the President shall be exempt from such Act; to District of Columbia Committee. (Introduced Aug. 9, 1961)

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COMMITTEE HEARINGS ANNOUNCEMENTS:

Aug. 17: Small business problems in poultry industry, H. Small Business.
Supplemental appropriations, H. Appropriations (exec).

oOo

August 24, 1961

14. HOG CHOLERA. The Rules Committee reported a resolution for the consideration of H.R. 7176, to provide for a national hog cholera eradication program. p. 15844
15. SUGAR. Rep. Dole advocated the consideration of new sugar legislation, saying, "The administrators of the U. S. sugar program are forced to take...inconsistent and utterly unreasonable steps to restrict American sugar production and marketing because of the strange sugar law now in effect." p. 15829
16. 4-H CLUBS. Rep. Randall praised the 4-H Club program, saying, "As a Member of Congress, we will continue to study both the authorization and appropriation bills for the Department of Agriculture to be sure that this cause is supported from the national level." pp. 15829-30
17. WATERSHEDS. The Public Works Committee voted to report (but did not actually report) with amendments H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or conservation development. p. D764
18. MINING. By a vote of 196 to 172, passed with amendments H. R. 84, to stabilize the mining of lead and zinc by providing Federal payments to small domestic producers on public, Indian, and other lands. pp. 15796-818
19. TRANSPORTATION. The Interstate and Foreign Commerce Committee voted to report (but did not actually report) S. 320, to amend the Interstate Commerce Act so as to permit State commissions to grant the right to motor common carriers operating within a single State to engage in interstate or foreign operations within the boundaries of the State in which intrastate authority is being simultaneously authorized, and to authorize ICC to issue certificates of registration to existing carriers engaged in interstate operations under part II of the Act. p. D763
20. TRADEMARKS. Subcommittee No. 3 of the Judiciary Committee voted to report to the full committee with amendment H. R. 4333, providing various amendments to the laws providing for the registration and protection of trademarks. p. D763
21. LANDS. The Public Works Committee voted to report (but did not actually report) H. R. 7888, to extend the time within which the land in certain reservoir projects in Texas may be reconveyed to the former owners thereof. p. 764
22. APPROPRIATIONS. Received from the President (on Aug. 22) a supplemental appropriation estimate (H. Doc. 228) which includes an item for the Area Redevelopment Administration, Department of Commerce, authorizing the Secretary of Commerce to use the area redevelopment fund for loans and other financial assistance for area redevelopment purposes in accordance with sections 6 (loans to aid in financing projects in redevelopment areas) and 7 (loans for public facilities) of the Area Redevelopment Act.
23. PEACE CORPS. Rep. Rodino praised the Peace Corps and Robert S. Shriver, Jr., saying, "The hallmark of the Peace Corps volunteers will be altruism, idealism, and devoted service to their country and the cause of peace." pp. 15842-3
24. LEGISLATIVE PROGRAM. Rep. McCormack announced that H. R. 7176, to provide for a national hog cholera eradication program, will be considered on Mon., and H. R. 6360, to authorize an additional Assistant Secretary of Commerce will be considered on Tues. p. 15815
25. ADJOURNED until Mon., Aug. 28. p. 15844

ITEMS IN APPENDIX

26. ELECTRIFICATION. Extension of remarks of Sen. Kefauver inserting an article, "TVA is Yardstick in Several Ways." p. A6661.
27. FOREIGN AID. Extension of remarks of Rep. Westland supporting H. R. 8400, the foreign aid authorization bill. p. A6666
Extension of remarks of Rep. Alger saying, "we cannot solve all the world's problems by throwing dollars at them," and inserting an article, "Lazy Diplomacy." p. A6679
28. FARM PROGRAM. Extension of remarks of Rep. Breeding saying that the farmers will not be the blame if the price of bread is raised. p. A6668
Extension of remarks of Rep. Alger condemning the welfare state and inserting an article, "The Man With the Hoe." p. A6684
29. NATURAL RESOURCES. Extension of remarks of Rep. Johnson, Wisc., saying, "It is the responsibility of our generation to see to it that there will be sufficient outdoor recreational areas available to our increasing population so that our children and their children may enjoy the outdoor opportunities which we have had," and inserting an article, "Wisconsin the Beautiful." p. A6683

BILLS INTRODUCED

30. EDUCATION. H. R. 8890, by Rep. Thompson, N. J., to amend Public Law 815 and Public Law 874, 81st Congress, so as to extend their expired provisions for an additional year and to authorize payments under Public Law 815 for school construction in school districts with severe classroom shortages, to extend for 1 year the student loan program of title II of the National Defense Education Act of 1958; to Education and Labor Committee.
31. SURPLUS COMMODITIES. H.R. 8892, by Rep. Rogers, Fla., to amend the Agricultural Act of 1956, as amended, and the Agricultural Act of 1949, as amended, to prohibit the subsidized export of any agricultural commodity to Communist nations and to prohibit sales by the Commodity Credit Corporation of any agricultural commodities for export to such nations; to Agriculture Committee.
32. WATER. S. 2460, by Sen. Anderson, to provide for a study by the Secretary of the Interior of the need or desirability of developing pumped storage; to Interior and Insular Affairs Committee.

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COMMITTEE HEARINGS ANNOUNCEMENTS:

- AUG. 25: Foreign aid authorization bill, conferees (exec).
Foreign aid appropriations, S. Appropriations (exec).
H. Agriculture Subcommittee on Conservation and Credit (exec).

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Aug. 30, 1961

the general education bill on Thurs., and the Mexican farm labor bill on Fri. He stated that Congress might be able to adjourn sine die "by the 14th or 15th of September, but my guess would be we will finish closer to the 1st of October!" pp. 16378-9

HOUSE

15. FOREIGN AID. Received the conference report on S. 1983, the foreign aid authorization bill (H. Rept. 1088) (pp. 16510-32): As reported by the conferees, this bill includes the following provisions:
- Establishes a development loan fund for use in making loans to underdeveloped nations and authorizes the appropriation of \$1.2 billion in fiscal year 1962 and up to \$1.5 billion in each of the next 4 fiscal years for this new development loan program.
- Authorizes \$380 million for fiscal year 1962 for development grants and technical cooperation for aiding underdeveloped nations.
- Exempts from the 50-50 cargo preference shipping requirements (for shipments on U. S. Flag vessels) the transportation between foreign countries of goods purchased with foreign currencies acquired under this bill or under Public Law 480 and exempts the shipment of fresh fruits and their products under this bill.
- Prohibits use of funds authorized by the bill for the purchase of bulk commodities at prices higher than the prevailing market price in the U. S., adjusted for differences in transportation costs, quality, and terms of payment.
- Requires that insofar as practicable surplus agricultural commodities to be furnished on a grant basis must be bought only in the U. S. except to the extent that they are not available here in sufficient quantities to meet emergency conditions.
- Provides that, with respect to development loans, development grants and supporting assistance, funds in excess of \$100,000 cannot be obligated until engineering, financial, and other plans necessary to carry out the project have been completed and there is a reasonably firm estimate of the cost of the project to the U. S., and, in the case of water or related land resource construction project, plans must include a computation of benefits and costs made insofar as practicable in accordance with Budget Bureau procedures for such projects in the U. S.
- Provides that the Secretary of the Treasury shall have responsibility for accounting and valuation with respect to foreign credits and foreign currencies owed to or owned by the U. S. and, in carrying out this responsibility, the Secretary shall issue regulations binding upon all agencies of the Government. Gives the Secretary sole authority to establish the exchange rates at which all foreign currencies or credits are to be used by all Government agencies. Requires each Government agency to report to the Secretary of the Treasury an inventory as of June 30, 1961, showing all foreign currencies on hand, and similar reports semiannually thereafter, for use of the Secretary in preparing consolidated reports to Congress.
- Includes administrative provisions for carrying out the provisions of the bill, and provides for the repeal of the provisions of the Mutual Security Act of 1954, as amended, except for certain specified sections.
16. EDUCATION. By a vote of 170 to 242, the House refused to consider H. R. 8890, to amend Public Law 815 and Public Law 874, 81st Congress, so as to extend provisions for Federal assistance for schools in federally impacted areas an additional year, and to extend for 1 year the student loan program of title II of the National Defense Education Act of 1958. pp. 16452-3
- Reps. Hiestand, Seely-Brown, Mathias, and Lindsay condemned present consideration of this bill. pp. 16508, 16509-10

August 30, 1961

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HOUSE

17. WATERSHEDS. The Public Works Committee reported with amendments H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress (H. Rept. 1083). p. 16534

The Agriculture Committee approved two watershed projects--Big Reedy Creek, Ky.; and Cane Creek, Tenn. p. D787

18. FARM CREDIT. The Agriculture Committee voted to report (but did not actually report) S. 1927, to make a number of amendments to simplify and clarify the operations of institutions supervised by FCA, and (with amendments) S. 1040, to abolish the Federal Farm Mortgage Corporation. p. D787

19. LANDS. The Agriculture Committee voted to report (but did not actually report) S. 302, to authorize the appropriation of an additional \$2 million for the purchase of land within the boundaries of the Superior National Forest, Minn.; H. R. 4934, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas; and (with amendments) H. R. 8520, to limit financial and technical assistance for drainage of certain wet lands. p. D787

20. WHEAT. The Agriculture Committee voted to report (but did not actually report) with amendments S. 1107, to exempt the production of durum wheat in portions of Modoc and Siskiyou Counties, Calif. (Tulelake area), from acreage allotments and marketing quota restrictions. p. D787

21. POULTRY. The Agriculture Committee voted to report (but did not actually report) H. R. 7866, to amend the Poultry Products Inspection Act to extend the application thereof to the Commonwealth of Puerto Rico. p. D787

22. GENERAL SUPPLY FUND. The Subcommittee on Government Activities of the Government Operations Committee voted to report to the full committee H. R. 8099, to remove the limitation on the maximum capital of the General Supply Fund." p. D787

23. PERSONNEL. Received from Interior a proposed bill "to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States." p. 16533

The Armed Service Committee reported with amendments H. R. 8765, to amend and clarify the reemployment provisions of the Universal Military Training and Service Act (H. Rept. 1082). p. 16534

24. FOREIGN TRADE. Rep. Mathias inserted a letter from the Commerce Department regarding the sales of American surplus farm commodities to Communist nations. pp. 16508-9

Received from the Attorney General a draft of a proposed bill "to amend the Trading With the Enemy Act, as amended." p. 16533

The Ways and Means Committee voted to report (but did not actually report) with amendments H. R. 7692, to require certain new packages of imported articles to be marked to indicate the country of origin. p. D788

25. VIRGIN ISLANDS. Received from the Comptroller General a report on the review of certain activities of the Government of the Virgin Islands for the fiscal year 1960. p. 16533

AUTHORIZING THE SECRETARY OF THE ARMY AND THE SECRETARY OF AGRICULTURE TO MAKE JOINT INVESTIGATIONS AND SURVEYS OF WATERSHED AREAS FOR FLOOD PREVENTION OR THE CONSERVATION, DEVELOPMENT, UTILIZATION, AND DISPOSAL OF WATER, AND FOR FLOOD CONTROL AND ALLIED PURPOSES, AND TO PREPARE JOINT REPORTS ON SUCH INVESTIGATIONS AND SURVEYS FOR SUBMISSION TO THE CONGRESS, AND FOR OTHER PURPOSES

AUGUST 30, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SMITH of Mississippi, from the Committee on Public Works, submitted the following

REPORT

[To accompany H.R. 3801]

The Committee on Public Works, to whom was referred the bill (H.R. 3801) to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 2, line 11, strike out the period and insert in lieu thereof a colon and the following:

Provided, That the project authorization procedure established by Public Law 566, 83d Congress, as amended, shall not be affected.

Strike out "SEC. 2" and renumber "SEC. 3" as "SEC. 2."

PURPOSE OF THE BILL

The bill as amended would authorize and direct the Secretary of the Army and the Secretary of Agriculture, when called upon to do so by

resolutions of the Committees on Public Works of the Senate or House of Representatives, to make joint surveys of river basins and to prepare joint reports recommending multiple-purpose plans for the conservation, development, utilization, and disposal of water within such basins. The joint reports would be submitted to the Congress through the President for consideration of authorization by the Congress of the recommended works of improvement. It also would authorize the appropriation of such sums as may be necessary to carry out the purpose of the act, such sums to remain available until expended.

AMENDMENTS

The first amendment at the end of section 1 merely provides assurance that the project authorization procedure established by Public Law 566, 83d Congress, the Watershed Protection and Flood Prevention Act as amended, shall not be affected. Views were expressed to the committee that the passage of a resolution calling for a joint report might interfere with the submission of a project work plan through the customary channels under present procedures. The committee is of the opinion that this would not result from enactment of the bill since the same situation exists with respect to flood control and river and harbor projects, reports on which are submitted in an orderly fashion without delay even though a resolution may have been adopted calling for a flood control or river and harbor review report. To alleviate any possible fears, however, the committee is agreeable to the addition of the phrase expressly covering this point.

Section 2 of the bill, as introduced, would establish jurisdiction of flood control works or related improvements between the Secretary of the Army and the Secretary of Agriculture. The works under jurisdiction of the Secretary of the Army would be prosecuted under the provisions of the Flood Control Act of 1936, as amended, and supplemented, and those under the jurisdiction of the Secretary of Agriculture would be carried on under the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Congress, as amended. In general, the smaller structures located in upstream areas would be under the jurisdiction of the Secretary of Agriculture and the larger would be under the jurisdiction of the Secretary of the Army. Section 2 further provided that the joint reports to be submitted shall contain an economic justification for the recommended system of works of improvement.

During the hearings on the bill testimony was received from both the Department of Agriculture and the Department of the Army in which representatives stated they felt that section 2 of H.R. 3801 should be deleted because of the fact that the provisions affecting the policies and procedures of the two agencies should be considered in a broader context of resource policy formulation than that involved in achieving the coordination objectives set forth in section 1. They believe that they should have further opportunity for analysis and formulation of comments on the aspects covered by section 2. In considering these views the committee is of the opinion that the field of jurisdiction and economics covered by section 2 is so broad and involves so many complexities that further attention and study should be given to this matter and agrees with the two departments

that this section should be deleted for the present and further opportunity taken to consider it at a later date.

The renumbering of section 3 to section 2 is a technical amendment.

VIEWS OF THE COMMITTEE

In carrying out the flood control program of the Corps of Engineers and the watershed protection and flood prevention program of the Soil Conservation Service these agencies now coordinate their efforts. When reports are completed by each agency they are reviewed by the other and comments submitted on the part that each program will play in the program of the other agency. This coordination is carried out also at field level when reports are in process of preparation. Adjustments are often made by each agency to fit its plans into the plans of the other. However, the committee feels that it would be desirable in some instances to have machinery available that would permit the Corps of Engineers and the Soil Conservation Service to have the authorization and direction to proceed concurrently with investigations leading to concurrent or joint reports for consideration of the Congress. In this manner, the coordination of planning by all concerned would insure optimum results in the conservation, development, and use of the water and related land resources in each river basin of the Nation. The committee, therefore, recommends enactment of the bill as amended.

HEARINGS

A public hearing was held on August 16, 1961, in which representatives of the Corps of Engineers, the Soil Conservation Service, and a Member of Congress appeared. The witnesses all agree with the objective of the bill as amended.

AGENCY VIEWS

Views of the Department of the Army are contained in the following letter. The views of the Department of Agriculture were presented in testimony at the hearings as described above. The Bureau of the Budget has no objection.

DEPARTMENT OF THE ARMY,
Washington, D.C., August 19, 1961.

HON. CHARLES A. BUCKLEY,
*Chairman, Committee on Public Works,
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of the Army with respect to H.R. 3801, 87th Congress, a bill to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

Section 1 of this bill would authorize and direct the Secretary of the Army and the Secretary of Agriculture, when called upon to do

SURVEYS OF WATERSHED AREAS FOR FLOOD PREVENTION

so by resolutions of the Public Works Committee of the Senate or House of Representatives, to make joint surveys of river basins and to prepare joint reports recommending multiple-purpose plans for the conservation, development, utilization, and disposal of water within such basins. The joint reports would be submitted to the Congress through the President for consideration of authorization by the Congress of the recommended works of improvement.

The Department of the Army is in full accord with the objective of coordination of planning by all concerned to insure optimum results in the conservation, development, and use of the water and related land resources in each river basin of the Nation. In carrying out the investigations, surveys, planning, and development of such resources under existing laws and directives from Congress, the Department now attempts to coordinate fully with the other agencies of the Federal Government, the States and local agencies in such planning and development. Existing laws and established procedures permit, encourage and, in certain respects, require such coordination. Nevertheless, the Department recognizes that, in some instances, it would be desirable for the Departments of Agriculture and the Army to have authorization and direction to proceed concurrently with investigations leading to concurrent or joint reports for consideration of the Congress. The Department therefore is in accord with the objectives of section 1 of the bill.

However, section 2 of the bill contains provisions affecting the policies and procedures of the Departments of Agriculture and the Army on their respective programs which the Department of the Army believes should be considered in a broader context of resource policy formulation than that involved in realizing the coordination objectives of section 1 of the bill. The Department therefore recommends that section 2 of H.R. 3801 be deleted and that consideration of its provisions be undertaken when the agencies concerned have had opportunity for further analysis and formulation of comments on those aspects beyond the coordination objectives of section 1 of the bill.

The Department of the Army believes that if amended as recommended above the enactment of H.R. 3801 would be desirable.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

ELVIS J. STAHR, Jr.,
Secretary of the Army.



87TH CONGRESS
1ST SESSION

H. R. 3801

[Report No. 1083]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1961

Mr. SMITH of Mississippi introduced the following bill; which was referred to the Committee on Public Works

AUGUST 30, 1961

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the Secretary of the Army and the Secretary of Agri-
- 4 culture, when authorized to do so by resolutions adopted by
- 5 the Committee on Public Works of the Senate or the Com-
- 6 mittee on Public Works of the House of Representatives, are

1 hereby authorized and directed to make joint investigations
2 and surveys in accordance with their existing authorities of
3 watershed areas in the United States, Puerto Rico, and the
4 Virgin Islands, and to prepare joint reports on such investi-
5 gations and surveys setting forth their recommendations for
6 the installation of the works of improvement needed for flood
7 prevention or the conservation, development, utilization, and
8 disposal of water, and for flood control and allied purposes.
9 Such joint reports shall be submitted to the Congress through
10 the President for adoption and authorization by the Congress
11 of the recommended works of improvement: *Provided, That*
12 *the project authorization procedure established by Public*
13 *Law 566, Eighty-third Congress, as amended, shall not be*
14 *affected.*

15 SEC. 2. When the Congress has authorized the projects
16 recommended in such joint reports, those recommended
17 works of improvement located on or along a stream or other
18 waterway having a drainage area above such improvements
19 of more than two hundred and fifty thousand acres, and those
20 recommended local protection works situated within the
21 boundaries of urban areas within drainage areas of two hun-
22 dred and fifty thousand acres or less which constitute a sub-
23 stantial part of the recommended works of improvement for
24 such drainage areas, shall be prosecuted by the Secretary of
25 the Army under the provisions of the Flood Control Act of

1 1936, as amended and supplemented; and those recom-
2 mended works of improvement located on or along a stream
3 or other waterway having a drainage area above such im-
4 provements of two hundred and fifty thousand acres or less;
5 except for such local protection works as are mentioned
6 above, shall be carried out by local organizations with assist-
7 ance from the Secretary of Agriculture under the provisions
8 of the Watershed Protection and Flood Prevention Act, as
9 amended: *Provided*, That such joint reports shall contain
10 an economic justification for the recommended system of
11 works of improvement, and no further economic justification
12 shall be required in connection with plans for such works of
13 improvement prepared under the provisions of the Flood
14 Control Act of 1936, as amended and supplemented, or the
15 Watershed Protection and Flood Prevention Act, as
16 amended.

17 SEC. 2. There are hereby authorized to be appropriated
18 such sums as may be necessary to carry out the purposes of
19 this Act, such sums to remain available until expended.

87TH CONGRESS
1ST Session

H. R. 3801

[Report No. 1083]

A BILL

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

By Mr. SMITH of Mississippi

FEBRUARY 2, 1961

Referred to the Committee on Public Works

AUGUST 30, 1961

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Sept 6, 1961

Passed as reported H. R. 6630, relating to conveyances of certain parts of rights-of-way by railroad companies. pp. 17083-5

Passed without amendment H. R. 7888, to extend the time within which land in certain reservoir projects in Texas may be reconveyed to the former owners thereof. p. 17085

6. CENTENNIALS. Passed without amendment S. J. Res. 98, to provide for the observance of the centennial of the enactment of the Homestead Act. This bill will now be sent to the President. p. 17075

17. TRANSPORTATION. Passed without amendment S. 1368, to provide for licensing independent ocean freight forwarders. This bill will now be sent to the President. p. 17092

The Rules Committee reported a resolution for the consideration of S. 320, to amend the Interstate Commerce Act so as to permit State commissions to grant the right to motor common carriers operating within a single State to engage in interstate or foreign operations within the boundaries of the State in which intrastate authority is being simultaneously authorized, and to authorize ICC to issue certificates of registration to existing carriers engaged in interstate operations under part II of the Act. p. 17159

18. EDUCATION. By a vote of 378 to 32, passed under suspension of rules H. R. 9000, to extend for two additional years the expired provisions of Public Laws 815 and 874, 81st Congress, (regarding aid for federally impacted areas), and the National Defense Education Act of 1958. pp. 17094-108

19. FOREIGN TRADE. The Banking and Currency Committee reported with amendments S. 2325, to amend the Export-Import Bank Act of 1945 (H. Rept. 1126). p. 17159

20. CULTURAL EXCHANGES. By a vote of 329 to 66, passed under suspension of the rules H. R. 8666, to provide for the improvement and strengthening of the international relations of the U. S. by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges. pp. 17119-31

21. BOTANIC GARDENS. At the request of Rep. Gross, passed over without prejudice H. R. 5628, to provide for a study and investigation of the desirability and feasibility of establishing and maintaining a National Tropical Botanic Garden. p. 17070

22. EASEMENTS. At the request of Rep. McIntire, passed over without prejudice H. R. 8355, to authorize executive agencies to grant easements in, over, or upon real property of the U. S. under the control of such agencies. p. 17078

23. WATERSHEDS. At the request of Rep. Anderson, Minn., passed over without prejudice H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water. p. 17091

24. PEACE CORPS. The "Daily Digest" states that the Rules Committee "granted an open rule ... on H. R. 7500, to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower." p. D816

6. HOUSING. The Government Operations Committee reported with amendments S. 1633, to provide for the establishment of a Department of Urban Affairs and Housing (S. Rept. 879). p. 17162
Sen. Smith inserted a letter from the Governor of Mass. supporting the establishment of such a department. p. 17258
7. ELECTRIFICATION. Sen. Gruening inserted an article from the magazine Rural Electrification, "The Power of Alaska -- A Look at Electric Power Capabilities -- Present and Future -- In Our 49th State." pp. 17164-5
8. FOREIGN TRADE. Sen. Morse inserted an article, "British Common Market Bid Alarms Fruit Trade," and he stated that the entry of "Great Britain into the European Common Market have had repercussions which are arousing the concern of many growers of agricultural products." pp. 17165-6
Sen. Miller inserted an article, "U. S. Farmers Face Loss of Market in Europe -- Export Official Says Proposals Now Before Common Market Would Alter Exports." p. 17279
9. FARM LABOR. Sen. Young, O., commended Sen. Williams, N. J., for his efforts toward enactment of legislation to provide Federal assistance for migratory labor and inserted an article by Sen. Williams on this subject, "The Excluded." pp. 17168-70
10. APPROPRIATIONS. The supplemental appropriation estimate submitted by the President on Sept. 1 (H. Doc. 231). includes an item for \$1 million for the Commerce Department to improve the design and coverage of the science exhibits for the Century 21 Exposition to be held in Seattle, Wash.
11. TRANSPORTATION. Sen. Kefauver expressed opposition to certain provisions of H. R. 6775, to provide for the operation of steamship conferences, as reported by the Commerce Committee and contended that the Commerce Committee "not only eliminated the antitrust provisions, it added new provisions which would make the cartels even more powerful than they have been in the past." Also, he inserted correspondence with the Attorney General concerning provisions of the bill. pp. 17264-7
12. FARM PROGRAM. Sen. Miller inserted a newspaper article, "Blight Upon the Farm," which "deals with statements, purportedly emanating from the Department of Agriculture, to the effect that there should be land reform in agriculture in the United States." p. 17279
13. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the calendar will be called today, Sept. 7, and that the steamship conference bill will be considered later this week. pp. 17202, 17253-4

HOUSE

14. APPROPRIATIONS. The Appropriations Committee reported H. R. 9076, the public works appropriation bill (H. Rept. 1125). p. 17159
15. LANDS. Passed with amendment H. R. 4939, to provide for the conveyance by the Farmers Home Administration of all right, title, and interest of the U. S. in a certain tract of land in Jasper County, Ga., to the Jasper County Board of Education. Agreed to an amendment by Rep. Vinson to provide that the county must pay a "fair market value" for the land. pp. 17068-9

accept the conveyance of these routes after the improvements herein authorized.

With the following committee amendments:

Page 2, strike out lines 13 through 18 and substitute in lieu thereof the following:

"(1) United States Route 1 from the boundary line between the District of Columbia and the Commonwealth of Virginia established by section 101 of the Act approved October 21, 1945 (59 Stat. 552; sec. 1-101 note, D.C. Code, 1951 ed.) to the present northerly limit of State maintenance on such route in the vicinity of Army and Navy Drive (G road), approximately one mile (NS road);".

Page 3, strike out line 19 and all that follows down through and including line 4 on page 4, and insert in lieu thereof the following:

"(b) There is authorized to be appropriated, out of the Highway Trust Fund created by the Highway Revenue Act of 1956, not to exceed \$2,500,000 to be expended by the Secretary of Commerce without regard to sections 104 and 120 of title 23 of the United States Code to pay the full cost of improving to adequate standards for current traffic the routes authorized to be conveyed under subsection (a) of this section. Such sum shall be available until expended. No funds authorized by this subsection shall be used until the Commonwealth of Virginia has agreed to accept conveyance of these routes and until such routes shall have been selected and designated by the Commonwealth and approved by the Secretary of Commerce as part of one of the Federal-aid highway systems. Amounts authorized by this subsection shall be in addition to and not in lieu of any other amounts otherwise authorized to be appropriated for expenditure on such Federal-aid highway systems."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REQUIRING SUBMISSION OF A REPORT TO CONGRESS CONCERNING ELIGIBLE PUBLIC BUILDING PROJECTS

The Clerk called the bill (H.R. 7477) to repeal section 409 of the Public Buildings Act of 1949, requiring the submission of a report to the Congress concerning eligible public building projects.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand from reading the report that this would repeal the law which makes it necessary for the Committees on Public Works of the House and Senate to come in with resolutions, if the construction is to cost more than \$100,000? In other words, if I read this proposal correctly, you are simply making it much easier to authorize more buildings in Washington and elsewhere.

Mr. JONES of Alabama. No, I will say to the gentleman from Iowa, it discontinues the reporting under the General Services Act of 1948, for the simple reason that under the Public Buildings

Act of 1959 they are required to give more exact accounts to the Congress. It does not change any of the substantive law in regard to authorizations and appropriations for projects.

Mr. GROSS. This deals only with reporting; is that correct?

Mr. JONES of Alabama. That is correct. It just relieves the General Services Administration from reporting under the General Services Act but makes them report under the Public Buildings Act of 1959. That is the only change and the only thing that his bill accomplishes.

Mr. GROSS. Does this change the requirement that the Administrator of General Services provide a prospectus?

Mr. JONES of Alabama. It does not change in any respect the reporting to the Congress of the proceedings that GSA must follow under the law in reporting to the Congress.

Mr. GROSS. This does not change section 11(a)?

Mr. JONES of Alabama. No, it does not change anything except to discontinue the request of their reports under the 1948 act, since they report under the 1959 act.

Mr. GROSS. It does not make it any easier for the House Committee on Public Works or its counterpart in the other body to come before the Congress to squeeze some more new Federal buildings?

Mr. JONES of Alabama. No, sir; there is no squeeze to it.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 409 of the Public Buildings Act of 1949 (40 U.S.C. 355) is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SURVEYS OF WATERSHED AREAS FOR FLOOD PREVENTION

The Clerk called the bill (H.R. 3801) to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

Mr. ANDERSEN of Minnesota. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

WAIVING SECTION 142, TITLE 28, UNITED STATES CODE

The Clerk called the bill (H.R. 7259) to waive section 142 of title 28, United States Code, with respect to the U.S. District Court for the Western District of Louisiana, Lafayette Division, holding court at Lafayette, La.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations and restrictions contained in section 142 of title 28, United States Code, shall be waived with respect to the holding of court at Lafayette, Louisiana, by the United States District Court for the Western District of Louisiana.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUING HOUSE RESOLUTION 190 AND HOUSE RESOLUTION 386, 83D CONGRESS

The Clerk called the resolution (H. Res. 417) to continue in effect House Resolution 190 and House Resolution 386, 83d Congress.

There being no objection, the Clerk read the resolution, as follows:

Resolved, That effective from January 3, 1961, the provisions of H. Res. 190, Eighty-third Congress, agreed to March 26, 1953, and H. Res. 386, Eighty-third Congress, agreed to August 1, 1953, are continued in effect.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INCREASE UNDER WAR HAZARDS COMPENSATION ACT

The Clerk called the bill (H.R. 4357) to increase certain compensation benefits payable pursuant to the War Hazards Compensation Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law the disability and death compensation benefits payable pursuant to the War Hazards Compensation Act shall, with respect to injuries or deaths occurring prior to July 1, 1946, be increased by 15 per centum.

SEC. 2. The increase authorized by this Act shall be effective only with respect to disability and death compensation benefits payable on and after the date of enactment of this Act.

With the following committee amendments:

Page 1, line 3, after "the" insert "monthly".

Page 1, line 4, strike "benefits" and insert "section 101(a) of" following "to".

Page 1, line 6, strike "occurring" and insert "resulting from injury sustained".

Page 1, line 10, strike "benefits" and insert following "payable" the words "for periods commencing".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to increase monthly disability and death compensation payable pursuant to the War Hazards Compensation Act."

A motion to reconsider was laid on the table.

INDIAN RESERVATION ROADS

The Clerk called the bill (S. 1719) to amend title 23 of the United States Code with respect to Indian reservation roads.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 208 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"(d) Cooperation of States, counties, or other local subdivisions may be accepted in such construction and improvement, and any funds received from a State, county, or local subdivision shall be credited to appropriations available for Indian reservation roads."

With the following committee amendment:

Page 1, line 10, after "roads" insert "and bridges".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LICENSING INDEPENDENT OCEAN FREIGHT FORWARDERS

The Clerk called the bill (H.R. 2488) to amend the Shipping Act, 1916, to provide for licensing independent ocean freight forwarders, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. LENNON. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1368, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Shipping Act, 1916 (46 U.S.C. 801), is amended by adding at the end thereof the following new paragraphs:

"The term 'carrying on the business of forwarding' means the dispatching of shipments by any person on behalf of others, by oceangoing common carriers in commerce from the United States, its Territories, or possessions to foreign countries, or between the United States and its Territories or possessions, or between such Territories and possessions, and handling the formalities incident to such shipments.

"An 'independent ocean freight forwarder' is a person carrying on the business of forwarding for a consideration who is not a shipper or consignee or a seller or purchaser of shipments to foreign countries, nor has any beneficial interest therein, nor directly or indirectly controls or is controlled by such shipper or consignee or by any person having such a beneficial interest."

SEC. 2. The Shipping Act, 1916, is further amended by redesignating section 44 as section 45, and inserting immediately after section 43 the following new section:

"Sec. 44 (a) No person shall engage in carrying on the business of forwarding as defined in this Act unless such person holds a license issued by the Federal Maritime Commission to engage in such business: *Provided, however,* That a person whose primary business is the sale of merchandise may dispatch shipments of such merchandise without a license.

"(b) A forwarder's license shall be issued to any qualified applicant therefor if it is found by the Commission that the applicant is, or will be, an independent ocean freight forwarder as defined in this Act and is fit, willing, and able properly to carry on the business of forwarding and to conform to the provisions of this Act and the requirements, rules, and regulations of the Commission issued thereunder, and that the proposed forwarding business is, or will be, consistent with the national maritime policies declared in the Merchant Marine Act, 1936; otherwise such application shall be denied. Any independent ocean freight forwarder who, on the effective date of this Act, is carrying on the business of forwarding under a registration number issued by the Commission may continue such business for a period of one hundred and twenty days thereafter without a license, and if application for such license is made within such period, such forwarder may, under such regulations as the Commission shall prescribe, continue such business until otherwise ordered by the Commission.

"(c) The Commission shall prescribe reasonable rules and regulations to be observed by independent ocean freight forwarders and no such license shall be issued or remain in force unless such forwarder shall have furnished a bond or other security approved by the Commission in such form and amount as in the opinion of the Commission will insure financial responsibility and the supply of the services in accordance with contracts, agreements, or arrangements therefor.

"(d) Licenses shall be effective from the date specified therein, and shall remain in effect until suspended or terminated as herein provided. Any such license may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, in whole or in part, or may upon complaint, or on the Commission's own initiative, after notice and hearing, be suspended or revoked for willful failure to comply with any provision of this Act, or with any lawful order, rule, or regulation of the Commission promulgated thereunder.

"(e) A common carrier by water may compensate a person carrying on the business of forwarding to the extent of the value rendered such carrier in connection with any shipment dispatched on behalf of others when, and only when, such person is licensed hereunder and has performed with respect to such shipment the solicitation and securing of the cargo for the ship or the booking of, or otherwise arranging for space for, such cargo, and at least two of the following services:

"(1) The coordination of the movement of the cargo to shipside;

"(2) The preparation and processing of the ocean bill of lading;

"(3) The preparation and processing of dock receipts or delivery orders;

"(4) The preparation and processing of consular documents or export declarations;

"(5) The payment of the ocean freight charges on such shipments:

Provided, however, That where a common carrier by water has paid, or has incurred an obligation to pay, either to an ocean freight broker or freight forwarder, separate compensation for the solicitation of securing of cargo for the ship or the booking of, or otherwise arranging for space for, such cargo, then such carrier shall not be obligated to pay additional compensation for any other forwarding services rendered on the same cargo. Before any such compensation is paid to or received by any person carrying on the business of forwarding, such person shall, if he is qualified under the provisions of this paragraph to receive such compensation, certify in writing to the common carrier by water by which the shipment was dispatched that he is licensed by the Federal Maritime Commission as an independent ocean freight forwarder and that he performed the above specified services with respect to such shipment. Such carrier shall be entitled to rely on such certification unless it knows that the certification is incorrect."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 2488) was laid on the table.

RELATING TO EXCHANGE OF VESSELS

The Clerk called the bill (H.R. 8632) to amend section 510(i) of the Merchant Marine Act, 1936, relating to the exchange of vessels.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of paragraph (3) of subsection (1) of section 510 of the Merchant Marine Act, 1936 (46 U.S.C. 1160), is amended to read as follows: "In determining said fair and reasonable value the Secretary shall consider the cost of placing the vessel in class with respect to hull and machinery."

With the following committee amendment:

On page 1, following line 8, add a new section 2 as follows:

"Sec. 2. The amendment made by this Act shall not affect applications for the exchange of vessels pursuant to subsection (1) of section 510 of the Merchant Marine Act, 1936, filed with the Secretary of Commerce prior to August 11, 1961."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. That concludes the call of the Consent Calendar.

AMENDING THE NATIONAL SCIENCE FOUNDATION ACT

Mr. GEORGE P. MILLER. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 282, the bill (H.R. 8556) to amend the National Science Foundation Act of 1950 to require certain additional

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only;
should not be quoted
or cited)

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For actions of September 18, 1961
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HIGHLIGHTS: House passed bills to: Permit wheat producers to withdraw from stored excess for under-production; exempt durum wheat in certain California counties from allotments and quotas; provide additional supergrades; clarify and simplify operations of Farm Credit agencies. House rejected bill to permit farms on which summer fallow is practiced to participate in feed grains program. Rep. Elliott introduced and discussed poultry bill.

HOUSE

- 1. WHEAT.** Passed as reported S. 1107, to continue to exempt the production of durum wheat in portions of Modoc and Siskiyou Counties, Calif. (Tulelake area), from acreage allotments and marketing quota restrictions. p. 18824
Passed as reported H. R. 8842, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment. p. 18826
- 2. FARM LOANS.** Passed as reported S. 1040, to abolish the Federal Farm Mortgage Corporation. pp. 18823-4
Passed without amendment S. 1927, to make a number of amendments to simplify and clarify the operations of institutions supervised by FCA. This bill will now be sent to the President. p. 18904
- 3. POULTRY.** Passed as reported H. R. 7866, to extend the Poultry Products Inspection Act to Puerto Rico and the Virgin Islands. p. 18823

4. RICE. Passed without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice. pp. 18826-7

*

5. FEED GRAINS. By a vote of 213 to 149, defeated a motion to pass under suspension of the rules H. R. 3914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program. provided an overall reduction of 20% is made in corn, grain sorghums, and barley. pp. 18826-18855-61

6. SUPERGRADES. By a vote of 305 to 53, passed under suspension of the rules H. R. 7377, to increase the limitation on the number of supergrades, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized. pp. 18861-5, 18865-70

7. PEACE CORPS. Conferees were appointed on H. R. 7500, to provide for a Peace Corps. pp. 18817-8

The "Daily Digest" states that "Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H. R. 7500, providing for the establishment of a Peace Corps." p. D871

8. EDUCATION. Passed without amendment H. R. 9053, to amend the National Defense Education Act to provide that loans made under title II will be made for the academic year rather than the fiscal year. p. 18826

By a vote of 342 to 18, passed under suspension of the rules (in lieu of H. R. 8900) S. 2393, to extend for 2 years the authority for Federal assistance for the construction and operation of schools in federally impacted areas and the National Defense Education Act. pp. 18831-4

9. APPROPRIATIONS. Received the conference report on H. R. 8302, the military construction appropriation bill (H. Rept. 1201). pp. 18850-1

10. WATERSHEDS. Passed as reported H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water. pp. 18818-20

11. RECREATION. Passed as reported H. R. 4934, to authorize the Secretary of Agriculture to modify certain leases entered into for the provisions of recreation facilities in reservoir areas. p. 18904

12. PURCHASING. Passed without amendment H. R. 8741, to grant to all Federal agencies the authority to waive performance and payment bonds otherwise required under the Miller Act with respect to cost-plus-a-fixed fee and cost-type contracts for the construction, alteration, or repair of building or public works and with supply contracts. p. 18830

13. FOREIGN AID. Passed without amendment H. R. 7791, to provide for the collection and publication of foreign commerce and trade statistics. pp. 18827-8

14. PERSONNEL. Passed without amendment H. R. 8565, to amend Public Law 763, 83d Congress, so as to permit firefighters to voluntarily elect to be paid at the

*Although a majority voted for the bill, a two-thirds majority is necessary under a motion to suspend.

House of Representatives

MONDAY, SEPTEMBER 18, 1961

The House met at 11 o'clock a.m. and was called to order by the Speaker pro tempore, Mr. McCORMACK.

Rev. Thomas Scannell, pastor, St. Michael's Roman Catholic Church, Annandale, Va., offered the following prayer:

For this brief minute our minds are united and focused on Thee our God. We address ourselves to Thee first as men, then as American men, and finally as Members of the Congress of the United States.

Very rightly, as human beings created by Thee, to Thee do we pay our homage. With all our minds and hearts and souls we acknowledge Thee our Lord God. Thee alone we adore.

Next we speak as American citizens. We offer thanks, deepest heartfelt thanks, for all the tremendous gifts, spiritual and material, that You have lavished upon us and upon our country.

Next, speaking as Members of this great lawmaking body, we earnestly beg Your divine guidance. Enlighten our minds so that we may know what is best for our own people and for all the peoples of the world who depend on us. Move our wills to act always as You would have us act.

And finally we speak to You O God as sons to a loving Father. We well know the tremendous responsibilities resting on our shoulders. The future course of the world, perhaps even the survival of the human race, depends in large part on the vision, the courage, the selflessness that we exercise in the discharge of our duties.

And only too well we know our human weaknesses. Without Your help, Lord, we can do nothing; with You beside us we can and we shall do all that must be done.

So help us God. Amen.

THE JOURNAL

The Journal of the proceedings of Saturday, September 16, 1961, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed the following resolution:

S. RES. 213

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Overton Brooks, late a Representative from the State of Louisiana.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Repre-

sentatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, stand in recess until 12 o'clock noon on Monday next.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4317) entitled "An act to amend the Internal Revenue Code of 1954 and incorporate therein provisions for the payment of annuities to widows and certain dependents of the judges of the Tax Court of the United States."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8072) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1962, and for other purposes."

CERTAIN LANDS IN THE GRANITE CREEK AREA, ALASKA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2279) to provide for the withdrawal from the public domain of certain lands in the Granite Creek area, Alaska, for use by the Department of the Army at Fort Greely, Alaska, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "four hundred" and insert "five hundred and ninety".

Page 2, line 1, after "antemeridian)," insert "however excepting therefrom that portion of west one-half of section 26, township 12 south, range 10 east Fairbanks meridian lying east of the Richardson Highway."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMBASSADOR STEVENSON ON ADMISSION OF RED CHINA TO THE U.N.

(Mr. ELLSWORTH asked and was given permission to address the House

for 1 minute, and to revise and extend his remarks.)

Mr. ELLSWORTH. Mr. Speaker, yesterday our Ambassador to the United Nations, Hon. Adlai Stevenson, appeared on "Meet the Press."

He said that the question of the admission of Red China to the United Nations would be the main subject for consideration at the upcoming session of the U.N. General Assembly. He also said he hoped President Kennedy would make a major speech on disarmament at the U.N. this Thursday, but that he, Stevenson, has made no calculation of the effect of such a speech upon the Red China debate. In other words, our Ambassador to the United Nations has made no calculation of the effect of a disarmament speech by the President of the United States upon the most important question that will come before the U.N. General Assembly. Mr. Speaker, I wonder who, if anyone, has made such a calculation?

Then Ambassador Stevenson said he didn't know what the American people could do about it if Red China did get admitted to the United Nations.

The American people could do plenty about it, if they should want to. The American people still have their Representatives in Congress and the Congress still has the power of the purse.

Mr. Speaker, Ambassador Stevenson's appearance on the television was a disturbing thing, and I hope he does not necessarily speak for the President in every particular on the points I have mentioned.

CORRECTION OF ROLL CALL

Mr. LINDSAY. Mr. Speaker, on roll call No. 209 I am recorded as absent. I was present and answered to my name. I ask unanimous consent that the permanent RECORD and the Journal be corrected accordingly.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PEACE CORPS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7500) to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

The Chair hears none and, without objection, appoints the following conferees: Messrs. MORGAN, ZABLOCKI, KELLY, MERROW, and JUDD.

CONSENT CALENDAR

The SPEAKER pro tempore. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

PROVIDING FOR A SURVEY TO DETERMINE THE PRACTICABILITY OF ADOPTING THE METRIC SYSTEM OF WEIGHTS AND MEASURES

The Clerk called the bill (H.R. 2049) to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RECOGNIZING OFFICIAL SAN DIEGO AS THE BIRTHPLACE OF NAVAL AVIATION

The Clerk called House Concurrent Resolution 208.

The SPEAKER pro tempore. Is there objection to the present consideration of the House concurrent resolution?

Mr. HARDY, Mr. LANKFORD, and Mr. RYAN objected; and, under the rule, the concurrent resolution was stricken from the Consent Calendar.

DESIGNATING THE NEW LOCK ON THE ST. MARYS RIVER AT SAULT STE. MARIE, MICH., AS THE JOHN A. BLATNIK LOCK

The Clerk called the bill (H.R. 947) to designate the new lock on the Saint Marys River at Sault Sainte Marie, Mich., as the John A. Blatnik Lock.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CEDERBERG. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

NATIONAL BOTANIC GARDEN IN HAWAII

The Clerk called the bill (H.R. 5628) to provide for a study and investigation of the desirability and feasibility of establishing and maintaining a National Tropical Botanic Garden.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PROTECTION OF CERTAIN COMMUNICATIONS FACILITIES

The Clerk called the bill (S. 1990) to amend section 1362 of title 18 of the United States Code so as to further protect the internal security of the United States by providing penalties for malicious damage to certain communications facilities.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1362 of title 18 of the United States Code is amended to read as follows:

"§ 1362. Communication lines, stations, or systems

"Whoever willfully or maliciously injures or destroys any of the works, property, or material of any radio, telegraph, telephone or cable, line, station, or system or other means of communication, operated or controlled by the United States, or used or intended to be used for military or civil defense functions of the United States, whether constructed or in process of construction, or willfully or maliciously interferes in any way with the working or use of any such line, or system, or willfully or maliciously obstructs, hinders, or delays the transmission of any communication over any such line, or system, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

"In the case of any works, property, or material, not operated or controlled by the United States, this section shall not apply to any lawful strike activity, or other lawful concerted activities for the purposes of collective bargaining or other mutual aid and protection which do not injure or destroy any line or system used or intended to be used for the military or civil defense functions of the United States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A motion to reconsider was on the table.

House Resolution 463 was laid on the table.

AUTHORIZING EASEMENTS IN REAL PROPERTY OF THE UNITED STATES

The Clerk called the bill (H.R. 8355) to authorize executive agencies to grant easements in, over, or upon real property of the United States under the control of such agencies, and for other purposes.

Mr. MCINTIRE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

SURVEYS OF WATERSHED AREAS FOR FLOOD PREVENTION

The Clerk called the bill (H.R. 3801) to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WHITTEN. Mr. Speaker, reserving the right to object, in 1948 in the bill I have the honor to handle the Committee on Appropriations provided that where the jurisdiction exercised by either the Corps of Engineers or the Department of Agriculture ended the other began. At that time we were having trouble getting the Corps of Engineers and the Department of Agriculture to fully meet the problem. Left was a sort of no man's land. In 1953 the Subcommittee on Agricultural Appropriations, of which I serve as chairman, set up the pilot watershed program, about 56 pilot plants over the Nation. This has led to the wonderful watershed and flood prevention programs that we have today, and with the Department of Agriculture leading the way, the Corps of Engineers is now cooperating.

Mr. Speaker, I wonder if my colleague, the author of the bill, Mr. SMITH, is on the floor.

Mr. EDMONDSON. Mr. Speaker, if the gentleman will yield, I am familiar with the bill and if the gentleman has a question concerning it, I shall try to answer it.

Mr. WHITTEN. Mr. Speaker, when something proves good almost everyone wants to move into the act. I am pleased to have all this present interest and support. On the particular bill back through the years the Soil Conservation Service tells me, as does the Corps of Engineers, that we have had complete cooperation and coordination in working out these programs. Each has the privilege of going over the studies and plans of the other and does so.

As I am sure the gentleman can see, it is highly risky, if you provide for a joint survey and a joint report as this bill originally proposed the plans of the Department of Agriculture could be held up by the corps or by the Committee on Public Works.

I have talked to the Soil Conservation Service and that Service did not and does not recommend this bill. I am sure that they, like me, would oppose it unless the committee carries through with its assurance that the bill, H.R. 3801, be amended by adding at the end of the first section the following: "Provided, That the project authorization procedure established by Public Law 566, 83d Congress, as amended, shall not be affected."

And further the committee's commitment to strike out section 2 as follows:

SEC. 2. When the Congress has authorized the projects recommended in such joint reports, those recommended works of improvement located on or along a stream or other waterway having a drainage area above such improvements of more than two hundred and fifty thousand acres, and those recommended local protection works situated within the boundaries of urban areas within drainage areas of two hundred and fifty thousand acres or less which constitute a substantial part of the recommended works of improvement for such drainage areas, shall be prosecuted by the Secretary of the Army under the provisions of the Flood Control Act of 1936, as amended and supplemented; and those recommended works of improvement located on or along a stream or other waterway having a drainage area above such improvements of two hundred and fifty thousand acres or less, except for such local protection works as are mentioned above, shall be carried out by local organizations with assistance from the Secretary of Agriculture under the provisions of the Watershed Protection and Flood Prevention Act, as amended: *Provided*, That such joint reports shall contain an economic justification for the recommended system of works of improvement, and no further economic justification shall be required in connection with plans for such works of improvement prepared under the provisions of the Flood Control Act of 1936, as amended and supplemented, or the Watershed Protection and Flood Prevention Act, as amended.

As I say, in 1948 we provided that where one's responsibility ceased, that of the other started. Certainly they should cooperate, and they do cooperate now and have been doing so for many years in these plans and in these programs. I do know the Corps' interest and effort in this area has lagged far behind that of the Department of Agriculture. If these changes are made in the bill I would certainly want the assurance of the gentleman that this legislation will not be used in such a way that one department could veto the program of the other, because that could lead to a slowdown of the very vital work we have been getting through the cooperation of these two departments.

Mr. EDMONDSON. Mr. Speaker, I think the gentleman makes a very fine point, and I would certainly agree with him, that if this bill were to operate in that way, it would be to the disadvantage of the overall program in which we are all interested. But it is my understanding that joint surveys of this type and joint reports would only be undertaken where both agencies have felt that it was desirable to do this and where Members of Congress have joined in and asked that it be done. It is further my understanding that the people in the Soil Conservation Service were responsible for the drafting of this bill in the first place.

Mr. WHITTEN. They advise me that it was drafted on request, that they did not request nor approve the legislation. Further, it is my opinion that unless these amendments are adopted, they are opposed to it. I am sure the gentleman is familiar with the fact that they have been cooperating in the planning so that each would fit in with the other; is that correct?

Mr. EDMONDSON. I think there has been some fine cooperation in some of the planning, but on the other hand

there have been situations where there has not been a coordination of planning and where parallel planning operations have been going forward without the degree of concentration that would benefit the public and the Government that we would like to see.

Mr. WHITTEN. For the gentleman's committee to inject themselves into that area—with the best of intentions—does the gentleman think that would improve that situation or should we call on each of the services to cooperate more fully on matters of that sort?

Mr. EDMONDSON. Mr. Speaker, may I say to the gentleman that there is certainly no intention in this bill to strong-arm cooperation in a field where cooperation would seem to be in the best interests of everyone. This simply provides a mechanism for cooperative effort where it appears to be in order and where both agencies are agreeable to that approach. We do not have that mechanism in the law today for joint surveys and reports.

Mr. WHITTEN. It is not required by law, but let me say to the gentleman that in the many years that I have been here the Soil Conservation Service and the Corps of Engineers have consistently been given responsibility in different areas and have cooperated in carrying them out. It goes back to the Flood Control Act of 1946 which affected large sections of my area. Reports covering the facts were made by both services, in connection with plans for works of improvement. That act provided for the responsibility of each. May I say again that in 1948 we provided by law that where the responsibility of one ceases the other begins. May I say further that since that time we have had full coordination between the departments. I only wish we could have gotten the Corps to move more speedily. On the gentleman's assurance that we will have the cooperation of the gentleman's committee to keep this bill from being used to slow down the operations that are going on now, I will withdraw my reservation of objection, Mr. Speaker.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman.

Mr. BAILEY. Mr. Speaker, further reserving the right to object, I do so for the purpose of eliciting some information. Within recent weeks I have been processing an upstream development project before the House Committee on Agriculture. It appears from the consideration of this project that the other body has asked the General Accounting Office to make a report of the project cost, and the other body used that as a means of objecting to the consideration of the project.

May I ask the gentleman from Oklahoma or the gentleman from Mississippi, is there anything that would authorize the calling in of the General Accounting Office? I thought they were engaged in postaudit activities for the Congress and were not in the position of giving advice.

Mr. WHITTEN. Mr. Speaker, if the gentleman will yield to me, the responsibility of the General Accounting Office is rather broad. Normally they pass on

whether the expenditure of money is authorized for the purposes for which it is spent.

On the assurance of the gentleman from Oklahoma that that would not be so used, I have withdrawn any objection. When you get to the General Accounting Office, may I say that those of us on the committee handling the appropriations would be glad to cooperate with the gentleman in connection with his project, but I have not had a chance to study what the General Accounting Office can do in such circumstances. I would presume they would be making some point that certain funds were not in accord with authority.

Mr. BAILEY. Does the gentleman from Oklahoma have any comment on the matter?

Mr. EDMONDSON. The gentleman is apparently referring to a project that is under the jurisdiction of the Agricultural Committee rather than the Public Works Committee. The gentleman from Oklahoma is not familiar with that particular project or with the procedure the gentleman has referred to. It does seem to be a rather unusual approach to the justification for a project, but, as I say, I am unacquainted with the background of it and would not have an opportunity to answer the gentleman.

(Mr. SMITH of Mississippi asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SMITH of Mississippi. Mr. Speaker, I regret that I was not in the Chamber at the time discussion on H.R. 3801 started. This legislation means much to water resource development throughout the country, but it perhaps means more to the immediate future of our flood control program in Mississippi than any other item now before the Congress. All of the leaders in water resources legislation in the Congress are familiar with the terms of the bill and concur in its passage. I have personally checked with most of them, including the gentleman from Texas, Mr. POAGE, the co-author of the Small Watershed Act. My bill has been carefully drafted to avoid any conflict of jurisdiction in the Congress. It is designated to speed up the essential work in this field which has been so long delayed.

H.R. 3801 is a product of long consideration by the House Subcommittee on Watershed Development. Members of this subcommittee have been seeking every possible means of bringing about better coordination of the important water resource programs carried on by both the Corps of Engineers and the Soil Conservation Service.

Members of our committee have specifically visited areas in Mississippi where joint programs are just beginning and we have been assured by all concerned that a program of this type will greatly benefit their operations.

I regret that there has been any delay in approval of this legislation by the House. It is one of the major steps forward that we must take in order to achieve our goal of full control of floods and soil erosion.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army and the Secretary of Agriculture, when authorized to do so by resolutions adopted by the Committee on Public Works of the Senate or the Committee on Public Works of the House of Representatives, are hereby authorized and directed to make joint investigations and surveys in accordance with their existing authorities of watershed areas in the United States, Puerto Rico, and the Virgin Islands, and to prepare joint reports on such investigations and surveys setting forth their recommendations for the installation of the works of improvement needed for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes. Such joint reports shall be submitted to the Congress through the President for adoption and authorization by the Congress of the recommended works of improvement.

SEC. 2. When the Congress has authorized the projects recommended in such joint reports, those recommended works of improvement located on or along a stream or other waterway having a drainage area above such improvements of more than two hundred and fifty thousand acres, and those recommended local protection works situated within the boundaries of urban areas within drainage areas of two hundred and fifty thousand acres or less which constitute a substantial part of the recommended works of improvement for such drainage areas, shall be prosecuted by the Secretary of the Army under the provisions of the Flood Control Act of 1936, as amended and supplemented; and those recommended works of improvement located on or along a stream or other waterway having a drainage area above such improvements of two hundred and fifty thousand acres or less, except for such local protection works as are mentioned above, shall be carried out by local organizations with assistance from the Secretary of Agriculture under the provisions of the Watershed Protection and Flood Prevention Act, as amended: *Provided*, That such joint reports shall contain an economic justification for the recommended system of works of improvement, and no further economic justification shall be required in connection with plans for such works of improvement prepared under the provisions of the Flood Control Act of 1936, as amended and supplemented, or the Watershed Protection and Flood Prevention Act, as amended.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, such sums to remain available until expended.

With the following committee amendments:

Page 2, line 11, strike out the period and insert in lieu thereof a colon and the following: "*Provided*, That the project authorization procedure established by Public law 566, 83d Congress, as amended, shall not be affected."

Strike out "SEC. 2" and renumber "SEC. 3" as "SEC. 2".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGISTRATION AND PROTECTION OF TRADEMARKS

The Clerk called the bill (H.R. 4333) to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes," approved July 5, 1946, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I note in the report on this bill a letter from the Chairman of the Federal Trade Commission, Mr. Dixon, who states on page 13 that the proposal to amend section 45 does considerable violence to the whole theory of a "service mark" because it tends to give a party rendering a service a property interest in the results or products of his service which are not related to the service which he performs.

I wonder if there is someone on the committee who can tell me whether this objection by the Chairman of the FTC, has been met.

Mr. LINDSAY. The Federal Trade Commission was the only agency that wanted to make changes of a very substantial nature to this bill. This amendment makes clear in the law the position which the trademark office has had for about 10 years. It is a clarifying amendment stating in statutory text the trademark office practice regarding service marks. If the FTC wants to change the law in this area—and it will be a substantial change—then it should be done by separate legislation and not by this bill which is primarily a housekeeping bill.

Mr. GROSS. I appreciate the gentleman's explanation, and, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of subsection (a) of section 1 of the Act entitled "An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes", approved July 5, 1946 (60 Stat. 427), as amended, is amended by striking the words "as might be calculated to deceive" and inserting in lieu thereof "as to be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive"; and by striking the words "or services" from the proviso thereof.

SEC. 2. Subsection (d) of section 2 is amended by striking the language beginning with the word "confusion", first appearance, and ending with the word "herewith" at the end of said subsection and inserting in lieu thereof the following: "confusion, or to cause mistake, or to deceive: *Provided*, That when the Commissioner determines that confusion, mistake, or deception is not likely to result from the continued use by more than one person of the same or similar marks

under conditions and limitations to the mode or place of use of the marks or the goods in connection with which such marks are used, concurrent registrations may be issued to such persons when they have become entitled to use such marks as a result of their concurrent lawful use in commerce prior to (i) the earliest of the filing dates of the applications pending under this Act; or (ii) the date of a registration issued under this Act; or (iii) July 5, 1947, in the case of registrations previously issued under the Act of March 3, 1881, or February 20, 1905, and continuing in full force and effect on that date; or (iv) July 5, 1947, in the case of applications filed under the Act of February 20, 1905, and registered after July 5, 1947. Concurrent registrations may also be issued by the Commissioner when a court of competent jurisdiction has finally determined that more than one person is entitled to use the same or similar marks in commerce. In issuing concurrent registrations, the Commissioner shall prescribe conditions and limitations as to the mode or place of use of the mark or the goods in connection with which such mark is registered to the respective persons."

SEC. 3. Section 6 is amended by striking the entire section and inserting in lieu thereof the following:

"SEC. 6. (a) The Commissioner may require the applicant to disclaim an unregistrable component of a mark otherwise registrable. An applicant may voluntarily disclaim a component of a mark sought to be registered.

"(b) No disclaimer heretofore or hereafter made, or made under paragraph (d) of section 7 of this Act, shall prejudice or affect the applicant's or registrant's rights then existing or thereafter arising in the disclaimed matter, or his right of registration on another application if the disclaimed matter be or shall have become distinctive of his goods or services."

SEC. 4. The first sentence of subsection (a) of section 7 is amended by striking therefrom the word "either"; by striking the words "name printed" and inserting in lieu thereof the words "signature placed"; by striking the words "and attested by an assistant commissioner or by one of the law examiners duly designated by the Commissioner," and by striking the words "and a record thereof, together with printed copies of the drawing and statement of the applicant, shall be kept in books for that purpose" and inserting in lieu thereof the words "and a record thereof shall be kept in the Patent Office." The second sentence of subsection (a) of section 7 is amended by striking therefrom the word "certificate" and inserting the word "registration" in lieu thereof; by striking therefrom the words "the drawing of"; and by striking the words "the grant of".

Subsection (d) of section 7 is amended by striking the entire subsection and inserting in lieu thereof the following: "Upon application of the registrant the Commissioner may permit any registration to be surrendered for cancellation, and upon cancellation appropriate entry shall be made in the records of the Patent Office. Upon application of the registrant and payment of the prescribed fee, the Commissioner for good cause may permit any registration to be amended or to be disclaimed in part: *Provided*, That the amendment or disclaimer does not alter materially the character of the mark. Appropriate entry shall be made in the records of the Patent Office and upon the certificate of registration or, if said certificate is lost or destroyed, upon a certified copy thereof."

87TH CONGRESS
1ST SESSION

H. R. 3801

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18 (legislative day, SEPTEMBER 16), 1961

Read twice and referred to the Committee on Public Works

AN ACT

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of the Army and the Secretary of Agri-
4 culture, when authorized to do so by resolutions adopted by
5 the Committee on Public Works of the Senate or the Com-
6 mittee on Public Works of the House of Representatives, are
7 hereby authorized and directed to make joint investigations

1 and surveys in accordance with their existing authorities of
2 watershed areas in the United States, Puerto Rico, and the
3 Virgin Islands, and to prepare joint reports on such investi-
4 gations and surveys setting forth their recommendations for
5 the installation of the works of improvement needed for flood
6 prevention or the conservation, development, utilization, and
7 disposal of water, and for flood control and allied purposes.
8 Such joint reports shall be submitted to the Congress through
9 the President for adoption and authorization by the Congress
10 of the recommended works of improvement: *Provided*, That
11 the project authorization procedure established by Public
12 Law 566, Eighty-third Congress, as amended, shall not be
13 affected.

14 SEC. 2. There are hereby authorized to be appropriated
15 such sums as may be necessary to carry out the purposes of
16 this Act, such sums to remain available until expended.

Passed the House of Representatives September 18, 1961.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

SEPTEMBER 18 (legislative day, SEPTEMBER 16), 1961
Read twice and referred to the Committee on Public Works

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued August 24, 1962
For actions of August 23, 1962
87th-2d, No. 150

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HIGHLIGHTS: Sen. Humphrey commended farm bill as passed by Senate. Senate passed bill to transfer Sec. 32 funds to Commerce for lumber research. Senate committee reported bill to authorize joint watershed surveys by USDA and Army. Senate received State proposal for holding World Food Congress. Rep. Schwengel opposed passage of public works acceleration bill.

SENATE

- 1. FARM PROGRAM.** Sen. Humphrey reviewed and commended the provisions of the farm bill as passed by the Senate, expressed regret that it did not contain a dairy provision, and stated that "We can improve upon it and we will improve upon it, but we have made a good start in adopting an effective program for American agriculture." pp. 16374-5
- 2. FORESTRY.** Passed as reported S. 3517, to provide for the transfer from this Department to the Commerce Department Sec. 32 funds equal to 50 percent of the gross receipts from the duties collected on lumber, flooring, mouldings, and plywood for research and experimentation on lumber production and marketing. p. 16289
The Subcommittee on Public Lands of the Interior and Insular Affairs Committee approved for full committee consideration with amendment S. 3335, to authorize the transfer of land in Mont. from the Beaverhead National Forest to the Big Hole National Battlefield. p. D761

3. WATERSHEDS. The Public Works Committee reported without amendment H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint surveys and investigations of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water (S. Rept. 1910). p. 16284
4. WETLANDS. Passed as reported H. R. 8520, to prohibit assistance under the agricultural conservation program for wetland drainage in N. Dak., S. Dak., and Minn. on any farm where the Secretary of the Interior finds that wildlife preservation would be harmed thereby and that nondrainage will contribute to wildlife conservation. pp. 16288-9
5. RESEARCH. Passed without amendment H. R. 6984, to provide that provision may be made in cost-type research and development contracts (including grants) with universities, colleges, and other educational institutions for payment of reimbursable indirect costs on the basis of predetermined fixed-percentage rates applied to the total, or an element thereof, of the reimbursable direct costs incurred. This bill will now be sent to the President. p. 16289
6. TAXATION. As reported (see Digest 145), H. R. 10650, the proposed Revenue Act of 1962, provides that cooperatives are to receive a deduction for patronage dividends paid to the patrons in cash or by allocations if the patron has the option to redeem the allocations in cash during a 90-day period after issuance, or consents to treating this income as constructively received and reinvested in the cooperative. The patron may give his consent individually in writing, the cooperative may by its bylaws require members to give this consent, or patrons may give their consent by endorsing a check representing at least 20 percent of the total patronage dividend. At least 20 percent of the patronage dividend must be paid in cash for any allocation to be deductible to the cooperative. Any of the amounts which are deductible to the cooperative must be included in the income of the patron for tax purposes when received if the amounts arise from business activity of the patron. (These provisions do not apply to REA cooperatives). Also, the bill includes a provision permitting farmers to deduct, in computing their Federal income tax, expenditures incurred by them in clearing land to make it suitable for farming, up to \$5,000 or 25 percent of the taxable income from farming for the year, whichever is the lesser.
7. LANDS; MINERALS. The Commerce Committee reported with amendments S. 2138, to provide that a greater percentage of the income from lands administered by the Fish and Wildlife Service be returned to the counties in which such lands are situated (S. Rept. 1919). p. 16284
The Subcommittee on Public Lands of the Interior and Insular Affairs Committee approved for full committee consideration with amendments S. 3451, to provide relief for residential occupants of unpatented mining claims upon which valuable improvements have been placed, and S. 3160, to amend the act of March 8, 1922, so as to extend its provisions to the townsite laws applicable to Alaska. p. D761
8. HOLIDAYS. Passed without amendment S. J. Res. 217, to make Sept. 17 each year a legal holiday to be known as Constitution Day. p. 16292
9. DRUGS; MONOPOLIES. By a vote of 78 to 0, passed with amendments S. 1552, to amend and supplement the antitrust laws with respect to the manufacture and distribution of drugs. pp. 16302-30, 16333-60

Calendar No. 1872

87TH CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1910
U. S. DEPT. OF AGRICULTURE
LAW LIBRARY
LEGISLATIVE REPORTING

AUTHORIZING THE SECRETARY OF THE ARMY AND THE SECRETARY OF AGRICULTURE TO MAKE JOINT INVESTIGATIONS AND SURVEYS OF WATERSHED AREAS FOR FLOOD PREVENTION OR THE CONSERVATION, DEVELOPMENT, UTILIZATION, AND DISPOSAL OF WATER, AND FOR FLOOD CONTROL AND ALLIED PURPOSES, AND TO PREPARE JOINT REPORTS ON SUCH INVESTIGATIONS AND SURVEYS FOR SUBMISSION TO THE CONGRESS, AND FOR OTHER PURPOSES

AUGUST 23, 1962.—Ordered to be printed

Mr. CHAVEZ, from the Committee on Public Works, submitted the following

REPORT

[To accompany H.R. 3801]

The Committee on Public Works, to whom was referred the bill (H.R. 3801) to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes, having considered the same, report favorably thereon without amendment, and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3801 is to authorize and direct the Secretary of the Army and the Secretary of Agriculture, when called upon to do so by resolutions of the Committees on Public Works of the Senate or House of Representatives, to make joint investigations and surveys on river basins and watershed areas, and to prepare joint reports, setting forth their recommendations for works of improvement for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes. The joint reports would be submitted to the Congress through the President for consideration of authorization by the Congress of the recommended works of improvement, without affecting the project authorization

2 AUTHORIZE JOINT INVESTIGATIONS OF WATERSHED AREAS

established by Public Law 566, 83d Congress, as amended. It would authorize the appropriation of such sums as may be necessary to carry out the purposes of the act, such sums to remain available until expended.

GENERAL STATEMENT

In carrying out the flood-control program of the Corps of Engineers and the watershed protection and flood prevention program of the Soil Conservation Service, Department of Agriculture, those agencies now coordinate their efforts at field level when their reports are in the process of preparation. Adjustments are often made by each agency to adapt its plans to meet the plans of the other. When reports are completed by each agency, they are reviewed by the other and comments submitted on the relationship between the programs of the two agencies. These agencies also coordinate their activities in this respect with other agencies of the Federal Government, the States, and local agencies.

H.R. 3801 would provide the necessary authority and direction to permit the Corps of Engineers and the Soil Conservation Service to proceed concurrently in carrying out certain of their investigations, surveys, planning, and development of programs; and to prepare concurrent or joint reports for consideration of the Congress. This procedure in coordination of planning by all concerned will insure optimum results in the conservation, development, and use of the water and related land resources in many of the river basins and watersheds of the Nation.

The Flood Control Act of 1936, and subsequent acts, authorized preliminary examinations and surveys for flood control at certain localities to be prosecuted by the Secretary of the Army, and similar investigations for runoff and waterflow retardation and soil erosion prevention on the watersheds of the same localities, to be prosecuted by the Secretary of Agriculture. Under those authorizations, many survey reports have been prepared by each of those departments, but they were not prepared concurrently, and the early reports were not fully coordinated.

COMMITTEE VIEWS

The committee believes that it would be desirable in many instances to have authority available that would permit the Corps of Engineers and the Soil Conservation Service to proceed concurrently with investigations leading to concurrent or joint reports for consideration of the Congress, provided that such procedure does not interfere with established procedure or slow the completion and submission of other authorized surveys or investigations. The committee is of the opinion that the coordination of planning by all concerned, particularly on smaller watersheds, is essential and will provide many benefits in our programs for resource development.

AGENCY VIEWS

Views of the Department of the Army with the approval of the Bureau of the Budget, are contained in the following letter.

DEPARTMENT OF THE ARMY,
Washington, D.C., August 19, 1961.

HON. CHARLES A. BUCKLEY,
*Chairman, Committee on Public Works,
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of the Army with respect to H.R. 3801, 87th Congress, a bill to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

Section 1 of this bill would authorize and direct the Secretary of the Army and the Secretary of Agriculture, when called upon to do so by resolutions of the Public Works Committee of the Senate or House of Representatives, to make joint surveys of river basins and to prepare joint reports recommending multiple-purpose plans for the conservation, development, utilization, and disposal of water within such basins. The joint reports would be submitted to the Congress through the President for consideration of authorization by the Congress of the recommended works of improvement.

The Department of the Army is in full accord with the objective of coordination of planning by all concerned to insure optimum results in the conservation, development, and use of the water and related land resources in each river basin of the Nation. In carrying out the investigations, surveys, planning, and development of such resources under existing laws and directives from Congress, the Department now attempts to coordinate fully with the other agencies of the Federal Government, the States and local agencies in such planning and development. Existing laws and established procedures permit, encourage, and, in certain respects, require such coordination. Nevertheless, the Department recognizes that, in some instances, it would be desirable for the Departments of Agriculture and the Army to have authorization and direction to proceed concurrently with investigations leading to concurrent or joint reports for consideration of the Congress. The Department therefore is in accord with the objectives of section 1 of the bill.

However, section 2 of the bill contains provisions affecting the policies and procedures of the Departments of Agriculture and the Army on their respective programs which the Department of the Army believes should be considered in a broader context of resource policy formulation than that involved in realizing the coordination objectives of section 1 of the bill. The Department therefore recommends that section 2 of H.R. 3801 be deleted and that consideration of its provisions be undertaken when the agencies concerned have had opportunity for further analysis and formulation of comments on those aspects beyond the coordination objectives of section 1 of the bill.

The Department of the Army believes that if amended as recommended above the enactment of H.R. 3801 would be desirable.

4 AUTHORIZE JOINT INVESTIGATIONS OF WATERSHED AREAS

The Bureau of the Budget advises that, from the standpoint of the administration program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

ELVIS J. STAHR, Jr.,
Secretary of the Army.

○

Calendar No. 1872

87TH CONGRESS
2D SESSION

H. R. 3801

[Report No. 1910]

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18 (legislative day, SEPTEMBER 16), 1961

Read twice and referred to the Committee on Public Works

AUGUST 23, 1962

Reported by Mr. CHAVEZ, without amendment

AN ACT

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of the Army and the Secretary of Agri-
4 culture, when authorized to do so by resolutions adopted by
5 the Committee on Public Works of the Senate or the Com-
6 mittee on Public Works of the House of Representatives, are
7 hereby authorized and directed to make joint investigations
8 and surveys in accordance with their existing authorities of

1 watershed areas in the United States, Puerto Rico, and the
2 Virgin Islands, and to prepare joint reports on such investi-
3 gations and surveys setting forth their recommendations for
4 the installation of the works of improvement needed for flood
5 prevention or the conservation, development, utilization, and
6 disposal of water, and for flood control and allied purposes.
7 Such joint reports shall be submitted to the Congress through
8 the President for adoption and authorization by the Congress
9 of the recommended works of improvement: *Provided*, That
10 the project authorization procedure established by Public
11 Law 566, Eighty-third Congress, as amended, shall not be
12 affected.

13 SEC. 2. There are hereby authorized to be appropriated
14 such sums as may be necessary to carry out the purposes of
15 this Act, such sums to remain available until expended.

Passed the House of Representatives September 18,
1961.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

SEPTEMBER 18 (legislative day, SEPTEMBER 16), 1961

Read twice and referred to the Committee on Public Works

AUGUST 23, 1962

Reported without amendment

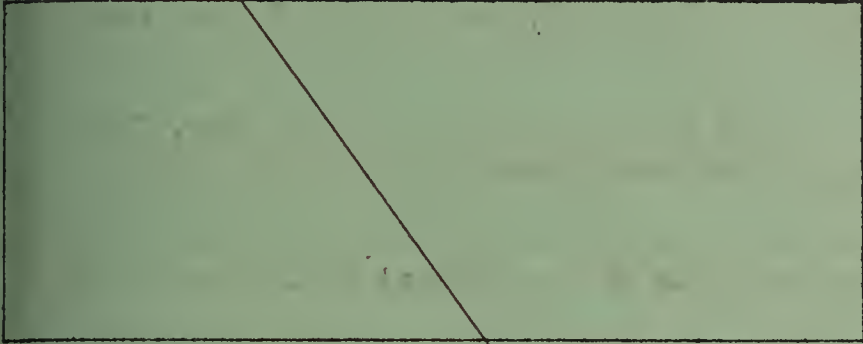
Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

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For actions of Aug. 24 and 25, 1962
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HIGHLIGHTS; Sen. Stennis urged additional appropriations for extension work and utilization research. Sen. Proxmire said government should pay cost of protecting milk against fallout. Senate subcommittee voted to report independent offices appropriation bill. Senate passed agricultural appropriation bill. Senate passed bill to authorize joint watershed surveys by USDA and Army. Sen. Proxmire urged caution in use of pesticides.

SENATE - August 24

1. MILK. Sen. Proxmire said the cost of protecting milk against fallout contamination should be born by the Federal Government and inserted an article on the problem. pp. 16466-7
2. APPROPRIATIONS. Sen. Stennis urged increased appropriations for the extension service and utilization research. pp. 16471-2
A subcommittee of the Appropriations Committee voted to report to the full committee H. R. 12711, the independent offices appropriation bill. p. D764
3. RECLAMATION. Concurred in the House amendments to S. 2008, to amend the act of Sept. 16, 1959, authorizing the construction, operation, and maintenance of the Spokane Valley project. This bill will now be sent to the President. p. 16470

4. TAXATION. Sens. Kuchel, Beall, and McCarthy submitted amendments intended to be proposed to H. R. 10650, the proposed Revenue Act of 1962. pp. 16378-9
Sen. Proxmire protested the investment credit provision in the tax bill and inserted an article, "The Investment Credit--The Opening of Another Loophole." pp. 16383-5
H. R. 10650, the proposed Revenue Act of 1962, was made the pending business of the Senate. pp. 16463-4
5. VETERANS. Began debate on S. 349, to provide readjustment assistance to veterans who serve in the Armed Forces between Jan. 31, 1955, and July 1, 1963. pp. 16405-13, 16427-43, 16449-60, 16461-4
6. PERSONNEL. The Commerce Committee reported with amendments S. Con. Res. 53, favoring travel by legislative and Government employees on U. S. air flag carriers (S. Rept. 1922). p. 16378
Passed without amendment S. 3319, to extend to certain employees in the Trust Territory of the Pacific Islands the benefits of the Federal Employees' Compensation Act. p. 16405
Sen. Javits inserted an article, "White House Urged To Use Compulsion in Negro Job Drive." pp. 16398-400
7. HOUSING. Sen. Williams, N. J., inserted a speech by the Assistant Administrator, Housing for Senior Citizens, Housing and Home Finance Agency, "Housing: Shelter, Showcase, or Living Environment." pp. 16390-3

SENATE - August 25

8. AGRICULTURAL APPROPRIATION BILL, 1963. Passed with amendments this bill, H. R. 12648 (pp. 16488, 16492-518). Conferees were appointed (p. 16518). Agreed to the committee amendments en bloc (pp. 16492-3). Agreed to an amendment by Sen. Russell to provide that \$30 million may be transferred from CCC funds for administrative expenses for the feed grain and wheat stabilization programs, contingent upon enactment of the farm bill, H. R. 12391 (p. 16493). Agreed to an amendment by Sen. Russell to raise the statutory building limitation from \$15,000 to \$25,000 so as to authorize the construction of one building by the Soil Conservation Service at a cost of not to exceed \$25,000 (p. 16493).
9. WATERSHEDS. Passed without amendment H. R. 3801, to authorize the Secretaries of the Army and Agriculture to make joint surveys and investigations of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water. This bill will now be sent to the President. p. 16488
10. PESTICIDES. Sen. Proxmire discussed the side-effects and problems that have resulted from use of pesticides in California, "urged greater caution in the use of chemical poisons, and commended the "constructive attitude" of the Departments of Agriculture and Interior regarding the use of pesticides. pp. 16578-80
11. TAXATION. Began consideration of H. R. 10650, the proposed Revenue Act of 1962. pp. 16518, 16533-78
12. WATER POLLUTION. Sen. Monroney commended the establishment of a regional laboratory at Ada, Okla., to conduct research on water pollution problems. pp. 16484-7
13. COPYRIGHTS; PUBLICATIONS. Sen. Proxmire expressed his concern over "the increasing scope of copyright protection applied to writing and other material prepared at Government expense, or on the basis of information connected with Government employment." pp. 16580-1
14. ADJOURNED until Mon., Aug. 27. p. 16583

In January 1961 the committee's final report to Congress and to the Nation made this startling statement:

"The entire Nation is confronted by critical and complex water problems. Soaring needs, aggravated by spreading pollution, demand immediate action to insure the wise use of every drop of water. The price tag for progress in the next 20 years is estimated to be \$12 billion for new dams and reservoirs, and \$42 billion for new municipal and industrial waste treatment works. The ultimate answer lies in Federal-State cooperation for the full development of every major river basin. Such a giant effort should draw on all levels of government, and have the active support and understanding of an aroused public."

Now Senator KERR and his committee did not intend that their report should be simply another to stow away and gather dust in the archives. They categorized five major needs, one of these bore down heavily on research, and proceeded to promote the necessary action. At the National Conference on Water Pollution in December 1960, Senator KERR said:

"There is a crying need for funds for increased research. The time has long passed when any industrial or business organization, with any hope of survival or progress in the modern world, does not devote a substantial part of its budget to research. The job of pollution abatement, the task of providing usable drinking water for the teeming millions of Americans, today and tomorrow, comes under the head of big business, very big business. It is an enterprise and an effort in which every citizen has a stake. And yet the provisions for research have been, and are, woefully inadequate. In fact, thus far, research has been so inadequate that the problem of pollution elements not yet identified may be as serious as the one of neutralizing and handling the pollution known to exist. Greater research is an absolute necessity, not as a vehicle for passing the buck, nor as a justification for delay. It is necessary as a means to find ways to better abate pollution, and do it more rapidly and at less cost."

When the Congress convened last year, Senator KERR and others lost no time in dropping into the hamper new legislation to cover the needs pointed up by the select committee. Actually some 30 water bills were introduced in about as many days. And they found the Washington climate most receptive, both in the new administration and in the Congress.

Out of it all came epochal amendments to the Federal Water Pollution Control Act, signed into Public Law 87-88 by President Kennedy on July 20, 1961. It greatly broadened and strengthened the hand of the Federal Government to give financial assistance to cities and States, to enforce water pollution abatement, and to set up new research facilities. The new act authorized establishment of seven regional water pollution research laboratories, recognizing that problems vary from region to region. The first location announced for these laboratories was Ada, Okla.

The architectural firm of Coston, Frankfurt & Short, of Oklahoma City, is preparing plans for the building which will contain 50,000 square feet of laboratory and office space. It will be situated on the 312-acre tract comprising the south campus of East Central State College, near the log cabin birthplace of Senator KERR. The annual operating budget is estimated at one and a half million dollars. The facility will serve a vast area embracing all or parts of some 15 States comprising the basins of the Colorado and the lower Mississippi Rivers and all those in between.

Our staff here will number about 150, including some 100 of the country's expert water scientists, plus the necessary clerical,

stenographic, and custodial help. Where possible, we will recruit locally, but through the Federal civil service system. The new families who come here to live among you will be high caliber citizens who will contribute much to your community life and betterment—people who will want to help in school, church, and civic leadership, including, I hope, the chamber of commerce. We hope to move into the completed establishment by September 1964, and if that seems a long time, I suppose we can partly blame the traditional slow cutting of red-tape in Government affairs. Some of our personnel, however, will move in ahead of the ribbon-cutting ceremonies and will be stationed here gradually over the next 2 years.

Now, I think you might like to know some of the specific problems which we hope to solve in the regional research laboratories. I have indicated that many of these will be of regional origin and peculiar to the area served. Yet many will have to do with pollution problems which are similar the Nation over. Thus, we will in many cases be doing a nationwide service from our station here at Ada.

I have mentioned the salt pollution of the Ark-Red Basins. This problem exists in differing forms in other basins. For example, an extreme trouble area this year has been in the lower Colorado, where return-irrigation flows, with their heavy salt content, have created downstream a rather touchy situation.

Herbicides, pesticides, and fertilizers used in farming, synthetic chemicals, and radioactive materials from industrial and defense production, detergent foam from washing machines—all these are invading our waterways. They are pollutants which do not respond to today's known treatment processes. Some of these wastes are toxic, and we still don't know how the human body reacts to steady doses of them when they get into our drinking water.

You may have read in the papers that the year 1961 saw a record 73,000 cases of viral hepatitis in the United States. Some of these cases were traced to raw oysters and clams harvested in polluted waters along the gulf coast and also the Atlantic. But the disease was prevalent inland also, and there is reason to believe that some of the hepatitis cases came from contaminated waters. In our country over 17 million home septic tanks on relatively small lots pose a serious threat to the continued safety of ground water; so does inadequate disposal of effluents from community waste treatment plants or from the sewage treatment systems built for schools, hospitals, and other institutions. These conditions exist in a great many areas which have moved too quickly from rural to suburban status and where either greed or ignorance has given some real estate developers too free a hand. The movement of wastes infiltrating the ground water supply is wide open for new studies and research.

No one has yet determined the extent and effect of pollution accruing from the operation on our inland waters of the Nation's 8 million pleasure boats. Overboard sewage and garbage disposal from these is a growing problem. So is the exhaust from both inboard and outboard motors. The exhaust has been implicated in taste and odor problems in drinking water and in fish flesh coming from waters used heavily for boating.

In city after city, drinking water is less palatable as more and more chemicals are added to rid it of pollutants. In many States, miles of streams, bays, and estuaries are lost each year to fish and wildlife, to fishing, and swimming, because of unsightly, smelly, and actually dangerous sewage and industrial wastes clogging the water.

The list is long; the unanswered problems are many. The ones I have cited are typical

of some that will be studied here in Ada at the water pollution research laboratory. What our scientists do here may keep many of these problems from happening here. And in the long run, this group of scientists may have more to do with the economic growth and continued scenic beauty of Oklahoma and the Southwest than anything else.

President Kennedy has said the "New Frontier" in conservation rests in the application of the discoveries of science. This attitude was reflected in his address concluding the White House Conference on Conservation, held May 24-25, in Washington.

The early conservation leaders, Theodore Roosevelt, Gifford Pinchot, and Franklin Roosevelt, were concerned more with the preservation of natural resources against carelessness and exploitation. Their job was primarily to exercise the leadership and courage to do the things we already knew how to do. But, said President Kennedy, the challenge of the sixties, and our great contribution, is in "harnessing science to conservation."

I can think of no finer note on which to close, than to quote you these lines from Senator KERR's book, "Land, Wood, and Water":

"With * * * complete information, the people are in the best position to plan and promote the development of their rivers. This is done through their elected Representatives in Congress. This is democracy in action. I know the people of Oklahoma are on the march for our water program. They have demonstrated a keen awareness of the problem and willingness to do their part to solve it. This attitude has brought a favorable reaction in Washington, reinforcing the congressional drive for the needed funds * * *. This outstanding progress in Oklahoma and the region has attracted the attention of other States beset with water problems * * *. The national spotlight focuses on our region as water problems become more acute."

A LETTER FOR FREEDOM

Mr. MUNDT. Mr. President, a former Senator of South Dakota, James Kyle, is credited with the idea to set aside a day in tribute to the working men and women of America. His proposal resulted in the annual observance we are now celebrating, Labor Day.

As a present Senator from South Dakota, I would like to offer another suggestion, directed again to the working men and women of America, both within and without the trade union movement. Only this suggestion does not concern "action for" but "action by" the thousands of citizens of America who proudly claim affiliation as working force that keep this Nation moving forward.

Labor Day, as we know it and observe it, is set aside as both a day of rest and a day of homage. I propose that we add a third reason for our observance of this holiday. Let us make Labor Day a day of international brotherhood for freedom.

This is how I propose that we could add this individual observance to our Labor Day activities:

On Labor Day, sometime during the day, I suggest that every American sit down for only a few minutes and write a letter, to a friend, a relative, or even a stranger, who lives here in this country or who lives overseas.

In those few minutes, the letterwriter can put down on paper one or more

reasons why he or she is glad to be an American and what freedom really means to that person as an individual. Then send the letter off to whoever you wish as a "Labor Day Message for Freedom."

I think in this fashion, taking only a few minutes time, we can put more meaning into an already meaningful day, helping others understand a little more what freedom means to us and also helping ourselves to appreciate a bit more the great blessing that has been bestowed upon our Nation and upon our people living in this free land, which stands as a beacon light of liberty to all the world.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

REVENUE ACT OF 1962

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

Without objection, the Senate resumed the consideration of the bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate may proceed to the consideration of Calendar No. 1871, the Department of Agriculture and related agencies appropriation bill, 1963.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 12648) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

USE OF FUNDS ACQUIRED BY OWNERS OF BRIDGES ACROSS DELAWARE RIVER

Mr. MANSFIELD. Mr. President, with the concurrence of the membership of the Senate I should like at this time to have the Senate consider some measures on the calendar to which there is no objection.

I ask unanimous consent that the pending business may be temporarily laid

aside and that the Senate may proceed to the consideration of Calendar No. 1870.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 5604) to amend the acts of May 21, 1926, and January 25, 1927, relating to the construction of certain bridges across the Delaware River so as to authorize the use of certain funds acquired by the owners of such bridges for purposes not directly related to the maintenance and operation of such bridges and their approaches.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, the purpose of H.R. 5604 is to amend the acts of May 21, 1926 and January 25, 1927, which granted the consent of Congress for the construction of bridges across the Delaware River at Burlington and Palmyra, N.J., to provide that nothing contained therein shall be construed to prohibit any public agency, which now or hereafter may own such bridges and which has on hand, funds derived from sources other than toll revenues in excess of the amounts required for maintenance and reconstruction, from paying such surplus to the county of Burlington, N.J., for acquisition, construction, or improvement of county facilities, buildings, and roads.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 5604) was ordered to a third reading, was read the third time, and passed.

JOINT INVESTIGATIONS AND SURVEYS OF WATERSHED AREAS FOR FLOOD PREVENTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business may be temporarily laid aside and that the Senate may proceed to the consideration of Calendar No. 1872.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 3801) to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention, and for other purposes.

The PRESIDENT pro tempore. Is there objection of the request by the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, the purpose of H.R. 3801 is to authorize and direct the Secretary of the Army and the Secretary of Agriculture, when called upon to do so by resolutions of the Committees on Public Works of the Senate or House of Representatives, to make joint investigations and surveys on river basins and watershed areas, and to pre-

pare joint reports, setting forth their recommendations for works of improvement for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3801) was ordered to a third reading, was read the third time, and passed.

U.S. NAVAL SUPPLY DEPOT, CLEARFIELD, OGDEN, UTAH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business may be temporarily laid aside and that the Senate may proceed to the consideration of Calendar No. 1874.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2421) to provide for retrocession of legislative jurisdiction over U.S. Naval Supply Depot Clearfield, Ogden, Utah.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 2421) to provide for retrocession of legislative jurisdiction over U.S. Naval Supply Depot, Clearfield, Ogden, Utah, which had been reported from the Committee on Armed Services, with an amendment on page 1, line 6, after the word "relinquishment," to strike out "or" and insert "of"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Navy may, at such times as he may deem desirable, relinquish to the State of Utah all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any lands within the United States Naval Supply Depot Clearfield, Ogden, Utah, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State of Utah a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Utah in such manner as its laws may prescribe.

Mr. MANSFIELD. Mr. President, the purpose of this bill is to relinquish to the State of Utah such of the jurisdiction heretofore acquired by the United States over the lands within the U.S. Naval Supply Depot Clearfield, Ogden, Utah, as the Secretary of the Navy may deem desirable. The bill would not impose any obligation to relinquish any jurisdiction to the State. The Secretary of the Navy would have complete discretion as to whether or not jurisdiction should be relinquished and, if so, whether or not relinquishment would apply to all or only a portion of the lands. The Secretary would also have the right to reserve to the United States such con-



Public Law 87-639
87th Congress, H. R. 3801
September 5, 1962

An Act

76 STAT. 438.

To authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports on such investigations and surveys for submission to the Congress, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army and the Secretary of Agriculture, when authorized to do so by resolutions adopted by the Committee on Public Works of the Senate or the Committee on Public Works of the House of Representatives, are hereby authorized and directed to make joint investigations and surveys in accordance with their existing authorities of watershed areas in the United States, Puerto Rico, and the Virgin Islands, and to prepare joint reports on such investigations and surveys setting forth their recommendations for the installation of the works of improvement needed for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes. Such joint reports shall be submitted to the Congress through the President for adoption and authorization by the Congress of the recommended works of improvement: *Provided*, That the project authorization procedure established by Public Law 566, Eighty-third Congress, as amended, shall not be affected.

Flood prevention.
Watershed areas,
joint investigations and surveys.

Reports to Congress.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, such sums to remain available until expended.

68 Stat. 666.
16 USC 1001 note.
Appropriation.

Approved September 5, 1962.

